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HISTORY
OF THE
TOWN OF HAMPTON,
NEW HAMPSHIRE.

FROM ITS SETTLEMENT IN 1638, TO THE AUTUMN OF 1892.

BY JOSEPH DOW.
EDITED AND PUBLISHED BY HIS DAUGHTER.

VOL. I.

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AUTHOR'S PREFACE.

It is many years since my interest was first awakened to collect material for a history of the town of Hampton. In the intervals of an otherwise busy life, I have brought together, from all available sources, such information as seemed to me important to preserve and disseminate, in compact form, for future generations. I was the more inclined to do this, since the history of Hampton, in its earlier years, was in some measure, the history of the Province of New Hampshire. Being one of the four original towns and united with the other three in many public acts; being a half-shire town of Norfolk County when under Massachusetts jurisdiction; being a border town between the two provinces, and so participating in the boundary disputes; being a sea-board town, whose defenses were of vital importance to all the rest,—the record of its progress, for at least one hundred years, must be of more than local interest.

Moreover, from many of the early families have gone out branches, to people the newer towns, as they were settled, one after another; and even in remote portions of our country, are found many persons, who trace their ancestry back to this settlement by the sea.

Every person, who has attempted to trace his own descent from the several families from which he has sprung, in following out any one of them for two centuries, through all the branches into which it has ramified, has found the task to be very difficult. No one can appreciate the difficulty, except from his own experience. Written memorials he finds to be exceedingly rare; and living members of the family, often, on this subject, very ignorant or very indifferent. In many cases, there are traditions and little besides traditions, relative to some branches. But not unfrequently, these vary one from another, so that they are of but little value. Indeed, tradition, at best, is not a very reliable source of information. Fortunate, then, must he be considered, who, after long, patient research, has been able to approximate his *beau idéal* of a complete genealogy.

If such obstacles are to be encountered in tracing a single family, how much greater must be met when *fifty* or a *hundred* families are to be traced through a period of two hundred years and more. Such

is the work I would gladly have performed for the readers of this History. But to prepare a full and correct genealogy of *all* the families that were in Hampton at an early period is impossible. In many instances family records have been lost, and in a larger number none were ever kept. The Town Records, indeed, afford valuable aid. Entries of births, beginning in 1652, and of marriages and deaths, in 1654, are perhaps as full on the Hampton Records, as on those of almost any other town. The records of the Congregational church also, the church of the town till well into the present century, are very valuable, containing entries of marriages by the ministers, after 1687; of baptisms, after 1696; and of deaths in the town, since 1734. This last record, with some private records kept in the town, gives us an almost complete list of deaths for a period of a hundred fifty-seven years. With such material, supplemented by a laborious search of wills, deeds, the old Norfolk County Records and numerous private papers, I have prepared the genealogies embodied in this work. That they are free from errors is more than can reasonably be expected; but a great amount of labor has been employed in their preparation, and no pains have been spared to make them correct.

To prevent mistakes in regard to certain dates, it must be remembered that, during the whole of the seventeenth and one-half of the eighteenth century, the civil and ecclesiastical year in England began March 25th, and March was called *the first month*; while the historical year, beginning on the first of January, was often used in narration. This gave rise to the system of double-dating, from January to March, till 1752, when the historical year alone came to be recognized. All dates in this work, so far as practicable, are made conformable to the historical year.

By an act of Parliament, passed in 1751, to make the reckoning of time conformable to the Gregorian Calendar, so called, it was ordered that the day next after September 2, 1752, should be reckoned September 14, thus dropping eleven days. This has been called a change of style. Dates before this change are said to be in Old Style; later dates, in New Style. All the dates in this work, earlier than September 2, 1752, are in Old Style. To change them to New Style, add ten days to those prior to 1700, and eleven days to those after that year.

I have given more space to the discussion of the boundary lines and the protective measures in regard to the beach and the public lands contiguous, than would ordinarily be allotted in a work of this compass; but it has seemed necessary in the one case, in order to correct a popular error, which has long prevailed, as to the original extent of

our territory; and in the other, to establish by the records themselves, the fact of the town's ancient and habitual control.

In the early stages of my study, I had an efficient co-laborer in my friend and cousin, Josiah Page, of Hampton, who devoted himself assiduously to the task of gathering information, which, by his notes, and from the treasures of his wonderfully retentive memory, he placed in my hands. A born genealogist, Mr. Page brought to this department of the work his greatest zeal, while he collected also many facts of historical importance. I have to regret that he died without seeing the work completed.

The names of John Wingate Thornton, Amos Tuck, Edmund B. Dearborn and others, who have passed away, recall much valuable help rendered by these men. To all who have given access to papers, searched records or otherwise aided me in my researches, I would render grateful acknowledgements.

Free reference is made, in these pages, to the works of Belknap, Winthrop and various town historians; to the Provincial and State papers, edited by Rev. Nathaniel Bouton, D.D.; to Adjutant General Head's Reports; to the New Hampshire Historical Society's Collections, the New England Historic-Genealogical Register and kindred works; while the records of town, church and county have been the main reliance for the history of local affairs.

If I have succeeded in preparing a worthy memorial of my native town, in the years fast receding, I shall not have labored in vain.

JOSEPH DOW.

EDITOR'S PREFACE.

It is not easy for one person to enter into another's labor and carry out his plan, even though the material be ready at hand. The author of this History died December 16, 1889. Had he lived to complete it, the selection and arrangement from among his papers would doubtless have differed in many respects from the work as now sent forth. The editor can scarcely hope to have realized his ideal. And yet, by far the greater part of it was finished by the author's own hand; and for the rest, having striven to carry it on with accuracy and discrimination, the editor submits it to the public, trusting that no serious mistakes have been made, and that something of value will be found to have been added to the written history of both early and later times.

The task of bringing the genealogies down to date has been attended with much difficulty, both from lack of knowledge of what, among the author's records, he designed for this work, and what for other purposes; and because of omissions and inaccuracies in the Town Records. These have doubtless been as carefully kept as the generality of town records; but whole decades are passed over with scarcely an entry of birth or marriage; and it must be confessed that errors have been found in the entries made. To supply deficiencies and correct dates has required much time and labor, and it cannot be claimed that all errors have been eliminated; but much pains having been taken to insure accuracy, it is believed that any errors which remain will not essentially mar the verity of the record.

The history is brought down to the autumn of 1892; and any references to the present time are to be understood of that period.

The editor desires to thank all those citizens and friends who have aided in completing genealogies or furnishing historical information. Special acknowledgements are due to Mr. and Mrs. Edward Shaw, Charles M. Lamprey, Esq., Wm. E. Lane and J. Warren Dow, for obtaining facts that required correspondence and pains-taking search. Other helpers are too many to mention by name, but they are gratefully remembered.

CONTENTS.

Chapter.	GENERAL AND MILITARY.	Page.
I.	The Settlement in the Wilderness. 1638-1646.	1
II.	Labors, Controversies and Superstitions. 1647-1662.	35
III.	Town Affairs. 1658-1680. Public Lands—Public Houses—And a Troublesome Public Charge.	58
IV.	Hampton under the Mason and Massachusetts Controversy. 1651-1677.	86
V.	Town and Province under the Royal Government. 1677-1689.	96
VI.	Under Royal Government (continued). 1689-1730.	115
VII.	The Boundary Lines. 1689-1742.	133
VIII.	Town Affairs—Kingston. 1680-1707.	146
IX.	Hampton Falls. 1709-1760.	162
X.	Town Affairs—Natural Phenomena—Rye. 1708-1736.	173
XI.	North Hampton. 1719-1742.	195
XII.	Regulations—Lawsuits—Casualties. 1733-1780.	202
XIII.	Indian Wars. 1675-1763.	219
XIV.	In the Revolution. 1774-1783.	249
XV.	In the Early Years of Independence. 1784-1814.	276
XVI.	A War—A Colonel—A Regiment. 1812-1860.	292
XVII.	The Civil War. 1860-1865.	301
XVIII.	Other Nineteenth Century Happenings. 1800-1892.	321
ECCLESIASTICAL.		
XIX.	The Interwoven Pastorates :	
	Rev. Stephen Bachiler. 1638-1641.	
	Rev. Timothy Dalton. 1689-1661.	
	Rev. John Wheelwright. 1647-1656.	
	Rev. Seaborn Cotton. 1657-1686.	343

XX.	Rev. John Cotton's Ministry. 1686-1710.	366
XXI.	Pastors Gookin and Ward Cotton—New Parishes. 1710-1837.	377
XXII.	Rev. Ward Cotton's Ministry—The North Hill Parish. 1731-1767.	395
XXIII.	Rev. Ebenezer Thayer's Pastorate. 1765-1792.	406
XXIV.	The Presbyterian Schism. 1792-1807.	419
XXV.	Last Years of the Town Ministry. 1807-1839.	440
XXVI.	The Independent Churches.	456

EDUCATIONAL.

XXVII.	The Common Schools.	473
XXVIII.	Hampton Academy and High School.	484

INDUSTRIAL.

XXIX.	Hampton Beach and Vicinity—Ownership and Uses.	502
XXX.	The Public Roads.	519
XXXI.	The Story of the Mills.	531
XXXII.	Stores and Trades.	546
XXXIII.	Last Words.	559

TABULAR.

A Tabular Record of Town Officers.	563
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APPENDIX.

578

GENEALOGICAL AND BIOGRAPHICAL.

581

ILLUSTRATIONS.

✓ Map of Hampton as Originally Laid Out,	COVER.
✓ Portrait of the Author,	FRONTISPICE.
✓ View from the North Beach,	facing page 4
✓ Plan of Hampton in 1806,	285
✓ Portrait of Col. Christopher Toppan,	296
✓ The Old Toppan Homestead,	298
✓ Hotel Whittier,	341
✓ Portrait of Rev. Josiah Webster,	442
✓ Portrait of Prof. John C. Webster,	452
✓ Portrait of Rev. DeWitt C. Durgin, D.D.,	464
✓ Hampton Academy,	498
✓ First Graduating Class of Hampton Academy and High School,	497
viz. :	
1. George Ervin Garland.	2. Annie Elizabeth (Lamprey) Garland.
3. Howard Garland Lane.	4. Sarah Maria Hobbs.
5. Frank Elmer Leavitt.	6. Ida Pearl Williams.
7. Caroline Belle Nudd.	8. Grace Reed Williams.
9. Ernest Gowell Cole.	10. Alice Sarah Weare.
11. Amos Towle Leavitt.	12. Eugene Frank Nudd.
13. Percy Downing Godfrey.	14. William Eastman Philbrick.
✓ Portrait of William T. Merrill, M.D.,	500
✓ Mrs. Zipporah J. Jenness and her Birds,	557
✓ Portrait of Dr. Claudius B. Webster,	560
✓ Portrait of Joseph F. Dearborn, Esq.,	668
✓ The Dearborn Monument,	670
✓ Folio from Capt. Henry Dow's Diary,	679
✓ Portrait of Mr. John H. Fogg.	714
✓ The Original James Homestead,	762
✓ Weare Arms, Seals and Signatures,	1026
✓ Portrait of Dr. Eliphalet K. Webster,	1034
✓ Portrait of Gen. Joseph D. Webster,	1086

ADDITIONS AND CORRECTIONS.

- Pages 63-85, head line, for "1676" read 1680.
- Pages 127, 138, for Vaughn read *Vaughan*.
- Page 130, 20th line, for "king" read *King*.
- Page 146, foot note, for "Little river" read *Little River*.
- Page 472, 1st line, for "ansterity" read *austerity*.
- Page 529, 40th line, for "council" read *counsel*.
- Page 548, near bottom, between "Marston" and "Perkins" insert *Moulton*.
- Page 564, under Moderators in Presidential Elections, for "1799, Oliver Whipple" read 1800 [*no record*].
- Page 584, the name of Batchelder (2) was Nathaniel. He m. Hester Mercer, and d. probably about 1680, in England or Holland.
- Page 616, middle of page, for "afward" read *afterward*.
- Page 655, under Dalton (6), erase "probably" before "daughter of Moses." The youngest child, "Elizabeth, b. Apr. 1, 1745," m. Stephen Mason, son of John (4).
- Page 682, under Dow (12), Abraham and Phebe, of Seabrook, had nine children, of whom was Jedediah, b. 1739; m., 1st, Mary Dow; 2nd, Dorcas Neal; settled in Weare; by 2nd marriage, had a son Josiah, who settled in Portland, Me., the father of Gen. Neal Dow, b. 1804.
- Page 692, under Drake (13), for "Giles swamp" read *Giles' swamp*.
- Page 694, under Drake (23), for "Fisk (3)" read *Fisk (2)*.
- Page 721, under Garland (5), it was Joseph, not Jacob, who m. Jane Stickney (Dec. 30, 1786), and had the children mentioned.
- Page 748, under Hobbs (4), for "(Marston?)" read *Marston*.
- Page 779, John Knowles (4) had also children, Samuel and Susanna.
- Page 849, under Marston (46), for "Thomas Sanborn, son of Daniel (35)" read *Thomas L. Sanborn (54)*.
- Page 854, John Mason (1) had also children: Francis, d. in Ki. about 1718. Joseph, b. about 1693. Benjamin, b. 1696. Mary. Hannah. Esther.
- Page 869, at bottom, for "Phebe Moulton" read *Phebe Palmer*.
- Page 880, under Neal (3), for "Capt. Joseph (4)" read *Capt. Joseph (3)*.
- Page 940, 4th line of text, for "Dusdale" read *Dugdale*; 9th line, for "Kid-deminster" read *Kidderminster*; last line, for "Placite" read *Placita*.
- Page 943, under Richard (13), for "Mary" read *Marie*.
- Page 1026, under Wardwell, for "Phillip Towle" read *John Cass*. (See p. 1039).
- Page 1029, Nath'l Weare (3) had also a dau. Susanna, b. July 28, 1723.
- Page 1081, 23rd line, for "were" read *was*; 24th line, for "recorded" read *accorded*.
- Page 1069, first line after title, for "list" read *lists*.
- Page 682, 8th line from bottom, for "1728" read 1828.
- Page 760, near bottom: It is now thought that there was no Joseph Hussey. Christopher Hussey (2) was representative in 1672 (see p. 566). The original town record for that year is torn off and lost.
- Page 432, 25th line, for "sight" read *right*.

GENERAL AND MILITARY.

HISTORY OF HAMPTON.

CHAPTER I.

THE SETTLEMENT IN THE WILDERNESS. 1638-1646.

TOPOGRAPHY.

THE ancient town of Hampton, New Hampshire, embraced a large territory, lying along the coast between Salisbury, Massachusetts, on the south, and Portsmouth, or the lower Piscataqua settlement on the north; and extending from the Atlantic Ocean westward, about six miles to Squamscott Patent (Stratham) and Exeter, and along the southerly side of the latter town, ten or twelve miles farther; the westerly line running thence southerly to the boundary between Salisbury (now Amesbury) and Haverhill, Massachusetts. The whole area is not less than one hundred square miles.

The surface is somewhat varied, though no portion of it is very rough. In the southeast part, and extending beyond its limits through Salisbury to the Merrimac river, is a very large tract of marsh, or salt meadows, containing several thousand acres, as level as any prairie of the West, and, through its whole extent, covered in summer with salt grass. It was this feature of the place, more than any other, that attracted the notice of the government of Massachusetts, and led to its early settlement. The rest of the land near the coast is also remarkably level, but farther back it is more uneven, though there are no very high hills. Those of the greatest elevation, east of Kingston old line, are Great, or Hardy's Hill, and Cock Hill, in Hampton Falls, and Horse Hill, in Kensington.

The largest ponds are Great Pond, in Kingston, covering about 800 acres, and Country Pond, about two-thirds as large, lying partly in the same town and partly in Newton, beyond the original limits of Hampton. The principal rivers are the Winnacunnet, or Hampton river with its tributaries, and Little river, flowing into the ocean; the Winnicut, a tributary of the Piscataqua, flowing into Great Bay, and

the outlets of the ponds named above, which are the chief sources of the Powow river, that empties into the Merrimac between Salisbury and Amesbury.

The coast line of the ancient town was about eight or nine miles in extent, terminating on the north at the easterly side of Jocelyn's (afterward called Locke's) Neck, in the present town of Rye. On the coast are two noted headlands, called Great Boar's Head and Little Boar's Head. The rest of the coast is mostly a low, sandy beach, some portions of which are greatly admired for their beauty. In several places, the beach is indented by small coves, which being somewhat sheltered from the wind, serve as landing places for boats, and afford facilities for carrying on the shore fishery.

In a territory so extensive, almost every variety of soil was found. In some parts, it was light, sandy and porous, liable to be parched by drought; in others, clayey and wet, or rocky and difficult to cultivate; while, in many places, there was a rich, dark mold of great depth and fertility, yielding to the husbandman an ample reward for his toil. A large portion of the land, except the salt meadows, was covered with forests where grew in great luxuriance the pine and the hemlock; the cedar and the spruce; the beech, the birch and the maple; the ash, the elm, the hickory and the oak. Of some of these there were several varieties. Oaks, both white and red, were extensively used by the early inhabitants in the manufacture of staves, for which a ready market was generally found, the sales bringing in a considerable portion of the money in circulation among them.

The rivers, the brooks, and the neighboring ocean furnished the people with fish; the woods and marshes afforded an abundance of game. Wild animals roamed in the forests, some of which, particularly the wolf and the bear, were very troublesome to the inhabitants, and frequently committed depredations upon their sheep and cattle.

A little more than two centuries and a half ago, no part of this tract was inhabited by white men. Some Indians, but how many, we know not, dwelt here. In favorable localities, they built their wigwams and had their homes. They roamed through the forests, and over the marshes, in search of game, which they shot with their arrows. Their trails might have been seen along the banks of the ponds, the brooks, and the rivers, where they often sauntered to draw from them their daily food. On the larger streams, they delighted to paddle their birch canoes. They had also places of burial where they deposited their dead. These they held as sacred spots.

After the white men had formed a settlement, there was some friendly intercourse between the two races. The Indian *papposes*, it is said,

would, in times of peace, often go to the log-huts of the new settlers, to play with their children. But the ancient race soon began to dwindle away, and, in little more than one century, were all gone. Their very names have also perished. Scarcely one is now known, and but very few authentic anecdotes concerning them have been preserved. An arrow-head of flint, occasionally picked up, and in some localities marl mixed with the soil, where they deposited the shells of clams dug for food from the river-flats, are almost the only relics that remain to remind us that this was once the home of the red men.

"Alas! for them, their day is o'er!
 Their fires are out from hill and shore!
 No more for them the wild deer bounds;
 The plough is on their hunting grounds;
 The pale man's axe rings through their woods—
 The pale man's sail skims o'er their floods."

Such was Hampton at an early period. But its ample dimensions soon began to be curtailed. The first extensive tract severed from it was the town of Kingston, which was granted to a number of inhabitants of Hampton, who soon after removed thither with their families; but as no part of it had been settled at the time of its incorporation, its history will not be given in this work. Next in order was incorporated the *Parish* of Hampton Falls, including, besides the town bearing that name, the present town of Kensington and a considerable part of Seabrook. A few years later, a valuable tract in the northeasterly part of Hampton was annexed to the town of Rye. Soon after, the remaining territory was divided into two portions nearly equal, and one of them set off to form the town of North Hampton.

The present town of Hampton lies on the seacoast, in the easterly part of the county of Rockingham, in latitude $42^{\circ} 56' 15''$ N. and longitude $70^{\circ} 50' 12''$ W.¹ It has for its boundaries, North Hampton on the north; Hampton Falls on the southwest and west; and Exeter on the northwest; while its eastern border, throughout its whole extent, is washed by the Atlantic Ocean. The town is small in extent, having an area of only a little more than 8000 acres. About one-fourth part of it is salt marsh, and sand banks along the coast. The surface is generally level or undulating, nowhere rising into high hills, and consequently the streams of water, none of which are large, furnish but few valuable mill privileges.

Winnacunnet, or Hampton river, is formed by the union of several

¹Taken on the site of the Baptist church—U. S. Coast Survey Report.

brooks, or rivulets, some of which, though of moderate size, are usually called *rivers*. The largest of these are Taylor's, Brown's, Falls and Blackwater rivers. One of the brooks early received the name of Nilus, which it still bears. Taylor's river has its source in a pond in the town of Hampton Falls, and runs southeasterly, forming, for a considerable distance, the boundary between that town and Hampton, retaining its name till it reaches the salt marsh,—and perhaps, formerly to the mouth of Falls river, which flows into it from the town of Hampton Falls,—when it takes the name of Hampton river. Passing on between the two towns nearly a mile farther, it unites with Brown's river coming in from the northeast, thus forming the main river, which flows on to the ocean, receiving in its course Blackwater river from the south.

The smaller tributaries from the Hampton side are Ass brook, which comes in from Exeter; Great Swamp run, rising in "the old swamp" in the north part of the town; and Mill brook, rising in the central part,—all of which flow into Taylor's river; and Nilus brook, which has its source in Alder Meadow, near the boundary line between Hampton and North Hampton, and running several miles easterly and southerly, falls into the Meadow pond, and from that passes out southerly into the Spring marsh, where it meets the tide, and soon receives the name of Brown's river. Dow's river, more properly called a brook, is a small stream in the easterly part of the town, flowing from Spring Heads into the Meadow pond.

Hampton river is of some value for the purposes of navigation, being of sufficient depth to admit vessels of seventy or eighty tons, though it is somewhat difficult of entrance, in consequence of sand bars and of sunken rocks that lie off its mouth. It is also productive of other benefits. The main river and some of its branches take a serpentine course through the salt marshes. These and the numerous creeks connected with them, serve both to drain and water the marshes, as the tide ebbs and flows, thus rendering them productive, while they also furnish facilities for taking off the hay in boats.

Along the whole eastern border of the town is a fine, sandy beach, interrupted only by a projecting rocky point near the northern extremity, which shelters from troublesome winds a fishing cove on the southerly side; and about midway, by Great Boar's Head, which has already been mentioned. This is a singular bluff, lifting itself between two low, sandy beaches, and extending into the sea about one-fourth of a mile, being of a triangular shape, and terminating in a point at the southeast. It rises gradually from the salt-marsh and a low ridge of upland on the west, till it attains the height of fifty or sixty feet



VIEW FROM THE NORTH BEACH, GREAT BOAR'S HEAD IN THE DISTANCE

above the level of the sea, which at high water washes its base. The eastern half is nearly level at the top, and the whole area is not far from twenty acres.

From the summit of this bold headland the prospect is varied and extensive, embracing fine views of portions of this, and some of the neighboring towns; of the salt-marsh stretching off to the west and southwest, almost as far as the eye can reach, and beautified by the meanderings of the river; of the blue summit of Agamenticus, far off in Maine; of various points along the coast from Cape Neddock, in Maine to Cape Ann, in Massachusetts; of the Isles of Shoals; and lastly, of the ocean itself, apparently limitless, bearing upon its bosom the white sails of commerce, and with waves, sometimes but gentle undulations, sportively chasing each other landward and laving the shore with a soothing murmur, and sometimes lashed into the wildest commotion by the tempest, rolling in and breaking upon the coast with a deafening roar, that can be heard for leagues.

THE GORGES AND MASON GRANTS.

In 1622, a grant was made by the Council of Plymouth to two of its most active members, Sir Ferdinando Gorges and Capt. John Mason, jointly, "of all the lands between the rivers Merrimack and Sagadahock [now the Kennebec], extending back to the great lakes and river of Canada," which grant was called *Laconia*. The grantees, having admitted several English merchants as associates, under the style of "The Company of Laconia," soon began to make preparation to form settlements on the territory. Early the next spring, they sent out a considerable number of people, well supplied with everything needful for their undertaking, to establish a colony for the purpose of fishing, and of trading with the natives. When the emigrants arrived at the Piscataqua, they separated into two companies, one of which remained at Little Harbor, near the mouth of the river,¹ and the other proceeding about eight miles up the river, settled on a point of land called by the Indians Winnichahannat,² to which they gave the name of Northam, and subsequently, Dover.

In 1629, Mason received from the Council of Plymouth a new patent for all the land "from the middle of Piscataqua river, and up the same, to the farthest head thereof, and from thence northward, until sixty miles from the mouth of the harbor were finished; also, through Merrinack river, to the farthest head thereof, and so forward up into

¹The settlement was at Odiorne's Point, in the northeast part of Eye.

²Spelled also Weochannet, etc.

the land westward, until sixty miles were finished, and from thence to cross over land to the end of sixty miles, accounted from Piscataqua river, together with all the islands within five miles of the coast." This tract was called **NEW HAMPSHIRE**.

These grants and the expenditure of considerable sums of money by Captain Mason, in forming and sustaining the settlements a few years, were the grounds on which his heirs based their claim to the province, in the prosecution of which, they subjected the inhabitants to an expensive and tedious course of litigation. It has therefore seemed important to take some notice of the grants, although the town of Hampton was settled without any reference to them, and has never, in any way, derived from them the least benefit.

WINNACUNNET.

The grants to Gorges and Mason, and to Mason alone, both included the place, which the Indians called *Winnacunnet*. This name seems to have been used by them to designate the river, afterward called Hampton river, flowing into the Atlantic, a few miles north of the Merrimac, and a tract of land in the vicinity of the river, whose limits are not well defined, but which appears to have been extensive enough to embrace the Indian population, accustomed to resort to the river for shell-fish and game, and to make it, for their canoes, a thoroughfare to the ocean.

This Indian name Dr. Belknap writes *Winicunet*. and Governor Winthrop, *Winicowett*. The name was probably written according as the sound struck the ear of the persons attempting to give it a visible form. The orthography here adopted is the uniform spelling in the Records of the General Court of Massachusetts. The earliest town records also have *win*, never *un* nor *ow*; and this is most likely to represent the Indian utterance. Hon. C. E. Potter, sometime of Hillsborough, N. H., gives the meaning of the word thus: *Pleasant Place of Pines*, or *The Beautiful Place of Pines*. Rev. Edward Ballard, sometime of Brunswick, Me., would translate it, *The Beautiful Long Place*.

This tract, lying along the sea-shore and only a few miles distant from the lower settlement on the Piscataqua, was probably sometimes visited by persons from that settlement, some of whom may have been temporarily employed here as fishermen. But nothing of this kind appears from history. The earliest notice of the place that we have found, is in the Records of the General Court of Massachusetts, where, under date of March 3, 1636, is found the following order:

"That there shalbe a plantacon settled at Winnacunnet & that M^r Duñer & M^r John Spencer shall have power to presse men to builde a house forthwth, in some convenient place, & what money they lay out aboute it, shalbe repaide them againe out of the treasury, or by those that come to inhabit there."

Agreeably to this order, a house was built for the purpose of securing Winnacunnet to Massachusetts, though, by a fair construction of its charter, the place was evidently beyond its jurisdiction. The house thus built was afterward known as the *Bound House*, though it seems to have been intended by the General Court, as a mark of *possession*, rather than of limit.

It is not known with certainty where the Bound House stood, and it is hardly probable that any future researches will serve to identify the spot. That was a disputed point more than a century ago. Some then located it on, or near, the Meeting House Green; some on Easton's Point, and others on Sargent's Island. There are reasons for believing that no one of these opinions is correct. That the house was not at either of the two places last named, appears probable from Governor Winthrop's History of New England, in which it is incidentally mentioned as being on the way, or path, from Newbury to the Piscataqua settlement. Other circumstances lead to the belief that it was farther south than the Meeting House Green. Rev. John Wheelwright, in his testimony taken by the commissioners of Charles II, in 1665, and embodied in their report to the King, stated that it was "erected three large miles from the Merrimac." This statement favors the opinion held by some, that the Bound House was somewhere within the limits of the present town of Seabrook; but it fails to *settle* the question, for it does not appear what distance is meant by a *large* mile, and in the same report it is stated that Mr. Wheelwright, when banished from Massachusetts, "settled just beyond the Bound House," whereas Exeter, the place of his settlement, is more than six miles from the Merrimac.

It is probable that the Bound House was occupied soon after it was built, but by whom, history fails to inform us; nor do we know how long it remained standing, unless by inference from Mr. Wheelwright's testimony, that it "was for *seventeen years* called and known to be the bounds of Massachusetts."

About two years after the settlement of the town of Newbury had been commenced near the river Parker, the inhabitants, for some reason "haveing been moved to leave their plantation," received from the General Court, November 2, 1637, a conditional grant of Winnacunnet, and such as should "remove wthin one yeare" were to "have three years immunity" from the first day of March, 1638.

About this time, April 3, 1638, Rev. John Wheelwright and others bought of the Indians a tract of land around Squamscott Falls, included in the following boundaries, viz.: "Within three miles on the north-erne side of y^e river Meremake extending thirty miles along by the

river from the seaside and from the sayd river side to Piscataqua Patents thirty miles up into the countrey northwest, and so from the falls of Piscataqua to Oyster river thirty miles square every way." This purchase included Winnacunnet, and thus was "obtained a right to the soil from the original proprietors, more valuable in a moral view than the grants of any European prince could convey."¹

Early in 1688, two persons, at least, were at Winnacunnet, where they had already built, or were then building houses for themselves. Whether they thought themselves authorized to proceed thus by the grant to the people of Newbury the autumn before,—for one of them, and perhaps both, had been living in that town,—or whether they supposed themselves beyond the jurisdiction of Massachusetts, is uncertain. One of them, Nicholas Easton, had, with many others, remonstrated against the harsh treatment shown to Mr. Wheelwright, and had in consequence been disarmed by an order of the General Court made November 20, 1687. This order, Mr. Easton probably considered arbitrary and unjust, and it may have led him to resolve to leave the colony. Still, it could not have been unknown to him that Winnacunnet was claimed to be within the jurisdiction of Massachusetts, and that the Bound House had been built to denote that claim. It has even been said that Mr. Easton was the architect employed to build the house. If so, he might thus have become acquainted with the advantages that Winnacunnet possessed as a place for settlement. But this is very doubtful. The Bound House had been built under authority to "presse" men for the purpose, and, though it might not require much architectural skill to build a log-house, yet the persons authorized by the court to see to the execution of their order, would have been more likely to impress a *carpenter* than a *tanner*; and Mr. Easton was a tanner.

But whatever may have been the motives of Mr. Easton; whatever his opinion relative to the northern limit of Massachusetts, we find him and a Mr. Geoffrey at Winnacunnet early in the year 1688. But they did not long remain unmolested. The former, at least, was obnoxious to the government, and both were here without authority from the General Court. They must therefore be removed. To effect their removal, the following order was passed, May 17, 1688: "That the magistrates of Ipswich shall have power to discharge Mr. Eason & Mr. Geoffry from building at Winnacunnet, and if they will not take warning, to cleare the place of y^m." It does not appear whether they did "take warning," and go away peaceably, or whether the magistrates were obliged "to cleare the place of y^m;" nor is it certain to

¹Judge Smith.

what place Mr. Geoffrey next went. Mr. Easton was soon after in Rhode Island. He is said to have built the first house at Newport, the place selected for his residence. In the years 1672 and 1673, he was governor of Rhode Island. He died in 1685 at the age of eighty-three years.

THE TOWNSHIP GRANT.

In the autumn of 1638, Winnacunnet remaining still unsettled, and the time allowed to the inhabitants of Newbury for a removal hither having nearly expired, a petition, signed by Steven Bachiler and others, was presented to the General Court, asking leave to settle here. Their prayer was granted. The record stands thus :

"The Court grants that the petitioners, Mr. Steven Bachiler, Christo : Hussey, Mary Hussey, *vidua*, Thom : Cromwell, Samuell Skullard, John Osgood, John Crosse, Samu : Greenfield, John Molton, Tho : Molton, Willi : Estow, Willi : Palmer, Willi : Sergeant, Rich'd Swayne, Willi : Sanders, Rob't Tucke, wth diverse others, shall have liberty to begin a plantation at Winnacunnet and Mr. Bradstreete, Mr. Winthrope, Junior and Mr. Rawson, or some two of them, are to assist in setting out the place of the towne, and apportioning the severall quantity of land to each man, so as nothing shalbee done therein wthout leave from them, or two of them."¹

The above grant was made sometime during the session of the General Court, that was commenced Sept. 6, 1638 ; but as all the acts of the session bear this date, it may not be possible to determine the very day on which the grant was made. Its place on the records— it being the second entry—indicates that it was made very early in the session. An entry on the Records of Hampton, in the handwriting of one of the grantees, Rev. Steven Bachiler, assigns as the date, the seventh of the eighth month, that is October ; but as that day was the Sabbath, it must be presumed that some error has crept into the record, which possibly should read, 8 : 7 mo., that is the eighth of September,—a more probable date, it being two days from the opening of the session.

If there is some uncertainty about the *exact* date of the *grant*, there has been until recently, still more about that of the *settlement*. Several considerations, however, concur to induce the belief, that there was but little delay on the part of the grantees, many of whom had been living at Newbury, only a few miles distant from Winnacunnet, and had, undoubtedly, already explored the land and found the most eligi-

¹ Mass., Rec., I : 236.

ble place for a settlement. When those who had been at Boston to present and urge their petition, had obtained the desired grant, we may readily believe that they returned immediately to their friends at Newbury, and then, as the season was far advanced, proceeded without any needless delay to the place, where they intended to fix their residence. With this view agrees the tradition that the settlement was nearly coëval with the grant. It is also a matter of record, that when the petitioners received permission to form a settlement, "they were shortly after to enter upon and begin the same."

Governor Winthrop affords some aid in determining the date of the settlement. He not only states that, from the great number of persons who arrived in the country in the summer of 1638, it was found necessary to look out new plantations, and that, among others, one was formed at Winicowett, but also under a date corresponding to March, 1639, he writes in his Journal, that Mr. Wheelwright and his company, who had formed a settlement at Exeter, and had purchased of the Indians a large tract of land which included this place, had written to the government of Massachusetts, informing them of their purchase and their intentions, and to those who had been "sent to plant Winicowett, to have them desist, etc." Hence it is evident that the settlement was made prior to this entry, and, consequently, in the preceding autumn or winter. It seems hardly probable that a company of men would go into the wilderness, ten or twelve miles from their families, and seven or eight miles from the nearest habitation, to begin a settlement in the midst of winter.

From a brief entry on the records of the First church in Hampton, made by one of its pastors a hundred years after the settlement was formed, it appears to have been the tradition at that time, that the fourteenth of October was the date of its origin. If such were then the belief, it may reasonably be considered as correct. Several persons were then living, whose parents were among the first inhabitants, and a still larger number, who remembered some of the settlers, and, in all probability, had heard them relate the time and circumstances of the settlement. That the 14th of October was the exact date, there is, indeed, no positive proof; but circumstantial evidence has within a few years, been found, in the discovery of a letter in Rev. Stephen Bachiler's own handwriting, which proves conclusively that the intention, at least, declared within a week of that date, was to begin the settlement on the 14th of October; and there is no reason to suppose that the plan was not carried out.

The letter is as follows:

"To my worshipful friend John Winthrop, Esq., at his house in Ipswitch.
these:

Worthy Sir,

I commend me to you & yours in the Lord, So it is, that we are resolved (God so consenting) the second working day of the next weeke to set forward towards our plantation, preparing thereto the day before. We intend to go by a shallop, so that as we hope and desire to have your helpe and our christian friend's Mr. Bradstreet; so we pray you both to be ready to accompany vs, the day following: we were there & viewed it cursorily & we found a reasonable meet place, which we shall shew you; but we concluded nothing.

I pray you acquaint Mr. Bradstreet with our desire & purpose, that we may lay some foundation & the better by your helpe & assistance.

The Lord's good eye be ever upon you & yours, & so I rest in Him that is al sufficient.

Yours in all christian office & service,

his most unworthy

Stephen Bachiler.

This 9, of this 8th month 1638."

The above date was on Friday. The second working day of the next week (Tuesday) was October 13. The day following (Wednesday) was Oct. 14, when they were to set forward towards the plantation. If the plan was carried out, then the time of making a beginning of the settlement was October 14, 1638.

Aside from any evidence, it would seem hardly probable that the grantees would remain inactive within a few miles of the place, which as early as September or October, they knew was in a few months to become their home, and suffer the autumn and winter to pass away without making any preparation for the accommodation of their families, or for the farming operations of the ensuing season. Prudence would dictate that, at the opening of the spring, they should be in readiness for planting and sowing, without having a large portion of their time occupied in clearing land, or building houses. Some might indeed make such preparation, and yet not remove their families till the return of spring; but that the settlement had actually been commenced before that time, cannot reasonably be doubted.

In the early part of the year 1639, a considerable accession was made to the number of inhabitants. With this new band of settlers, came Mr. Timothy Dalton, who was soon associated with Mr. Bachiler, the pastor of the church, in the work of the ministry. In the course of the year the number of families had increased to about sixty. Such is the statement of a contemporary writer, and his statement is corroborated by other evidence. At a town meeting on the 30th of June in the following year, grants of land were made to nearly sixty

persons. Add to these, other names previously entered upon the records, and we have an aggregate of about seventy-five persons, mentioned in such a way as to show, that nearly all of them were then residents of the place. From the great diversity of their names, and from what is known of many of them, it is safe to conclude, that they belonged to almost as many families.

In the spring following the grant for a plantation, the General Court enacted, as follows: dated May 22, 1689.

"Winnacunnet is allowed to be a towne, & hath power to choose a constable & other officers, & make orders for the well ordering of their towne, & to send a deputy to the court; & Christo: Hussey, Will: Palmer, & Rich'd Swaine to end all businesses under 20 sh^l for this yeare; the laying out of land to be by those expressed in the former order."

This may be considered as *the incorporation of the town*. The date of the act, according to the town records, was the 7th of June, the date given above being the time when the session of the court began. The plantation was then "in some degree of forwardness;"—a fact of some importance in determining the time of the first settlement; and tending to show the correctness of the view that has been taken.

During the next fall session of the General Court, the Indian name, by which the town had hitherto been called, was exchanged for the one that it has ever since borne. The brief record of the act is in these words: "*Winnacunnet shalbee called Hampton*." As briefly is it stated in the town records, that this change was made "at Mr. Bachiler's request."¹ About the same time, through the influence of John Moulton, the first deputy to the General Court, the right of disposing of, and laying out the land, was vested in the town. The people were now in full possession of town powers and privileges.

In looking back upon this portion of our history, through a period of two centuries and a half, and finding the plantation steadily advancing under prudent management, we are apt to lose sight of the difficulties which the people had to encounter. Of their toils and trials, their sufferings and sorrows, we can have but very inadequate conceptions. They were alone in the midst of an unbroken wilderness. The forest around them had never before echoed with the sound of the axe. No house was opened to afford them shelter, no friendly hand extended to give them aid. Their dependence, under God, was upon themselves alone. Their first labors were undoubtedly expended in constructing for themselves, from the trees of the

¹Mr. Joshua Coffin says that the change in the name of the town was made at the request of Mr. Rawson. This is incorrect.

surrounding forest, log-cabins in which they might repose their weary limbs at night, and find shelter from the frosts and storms of autumn and approaching winter.

In the prosecution of their labors, and in the endurance of hardships, the people appear to have been cheerful and happy. They felt that they had embarked in an important enterprise, and with a firm reliance on Divine Providence, they were confident of success. Hence they were not discouraged by the privations and difficulties incident to a new settlement.

But they met with difficulties and trials, that they had not anticipated. These must now be explained.

PROTEST FROM EXETER.

Allusion has already been made to the purchase of a considerable tract of land around Squamscott Falls, and to the settlement of Exeter by Mr. John Wheelwright and his company. The ground of the contention, that arose soon after between that company and the Massachusetts government, and by which the settlers of this town were annoyed, since their grant was from that government, will be understood from a brief statement of facts. Mr. Wheelwright had previously been settled in the ministry in what was then a part of Boston, and had been banished from Massachusetts on a charge of heresy and sedition. Squamscott Falls and the whole tract of land that he had bought of the Indians, he regarded as beyond the jurisdiction of that government. Hence, when a few months after, he and his associates saw another company taking possession of, and settling upon a valuable portion of that tract, and claiming the soil under a grant from Massachusetts, they attempted to vindicate their own rights, by ordering those whom they regarded as intruders, to desist from their undertaking; and by inquiring of the government on what they founded their claim, avowing at the same time their own intention to lay out the whole of Winnacunnet in farms, unless Massachusetts could show a better title.

The General Court replied, "that they looked at this, their dealing, as against good neighborhood, religion and common honesty," since they had gone and purchased of the Indians a doubtful title, and had then sent to Massachusetts to inquire as to her right, when they well knew, at the time of their purchase, that Massachusetts claimed Winnacunnet as coming within her patent, or, at least, as *vacuum domicilium*, and that she had taken possession by building a house upon it two years before. The court also denied the validity of title to unimproved lands, derived from the Indians; maintaining

that they had a natural right to so much land only, as they had actually improved, or were able to improve, while all other lands lay open to the occupation and improvement of others.

However this dispute may have been settled between the parties, it is evident that, so far as the Indians were concerned, they had no reason to complain of encroachment upon *their* rights, as their title to the land had been fully extinguished by their deed to Mr. Wheelwright. Nor do we learn that the "Indians ever complained, or afterwards set up any title" to these lands. It is probable, too, that a satisfactory adjustment was soon made between the settlers of Exeter and of Hampton, as they ever afterwards maintained a friendly intercourse, and in their subsequent transactions, no unpleasant allusion is known to have been made to these early difficulties; while a few years later, Mr. Wheelwright was invited to Hampton and accepted the invitation under circumstances which leave no room to doubt that harmony had been fully restored. Difficulties did, indeed, arise as to the location of bounds, but not as to the right of Hampton to be.

CHANGE OF NAME.

Here let us pause to enquire the reason of the change of name, from Winnacunnet to Hampton. The following extract from a letter, written by Hon. Charles E. Batchelder of Portsmouth, is of much interest in this connection, and affords, at least, circumstantial evidence. Under date, January 27, 1890, he writes:

"Why was the name Hampton given to the new settlement north of the Merrimac? The record says the name was given at the request of Rev. Stephen Bachiler. I have often wondered what connection there was between the new Hampton and old Hampton in England. I think I discovered the reason in my trip to England this last summer. The last settlement of Rev. Stephen Bachiler in England was at South Stoneham, at St. Mary's Church. This church is a dependency of St. Mary's Church, Southampton, and the latter church presents the living of the South Stoneham church to such incumbent as they choose.

The common name of Southampton in 1630 was Hampton, as can be seen by Gov. Winthrop commonly calling it Hampton in his History of New England. The "South" is said to have been added at a comparatively late day to distinguish this Hampton from Hampton in Middlesex. The name is said to be derived from Hantstone, that is, the stone of the county Hants or Hampshire.

South Stoneham was practically a suburb of the City of Southampton, being situated just outside the city limits on the north.

This close connection between South Stoneham and Southampton and the settlement of Rev. Stephen Bachiler at the former place evidently accounts for the name of our Hampton; and there may have been a real or fancied re-

semblance to Southampton Water as the first settlers of our Hampton sailed up Hampton River in a shallop when they made their settlement there in 1638."

TOWN MEETINGS.

At the first town meeting of which there is any record—probably the first that was holden—October 31, 1639, William Wakefield was chosen town clerk; and, judging by the records which he kept, the choice was a judicious one. Christopher Hussey, Richard Swaine and William Wakefield were chosen "to measure, lay forth and bound all such lots as should be granted by the freemen," to hold their office for one year, and to receive as compensation for their services, twelve shillings for laying out a house lot; and, in ordinary cases, one penny an acre for all other land surveyed by them.

A vote was passed, imposing a fine of 1s. on each freeman, who, after due notice of any town meeting, should fail to be at the place designated, within half an hour after the time appointed; and it was made the duty of the constable to collect every such fine, for the use of the town, under penalty of forfeiting double the amount.

At another town meeting a few weeks afterwards, November 22, two rates were ordered to be made, one of which was "for the payment of 3^s 11^s 8^d to John Moulton, for his going twice to the Court as deputy, at which times he spent twenty-seven days, which at 2^s 6^d per day,—his diet being satisfied by the Court,—comes to 3^s 7^s 6^d, and that with 4^s 2^d for ferriage, comes to 3^s 11^s 8^d."

The purpose of the other rate appears to have been to meet expenses incurred at the beginning of the settlement for the transportation of goods, but so much of the record is worn off, that it is impossible to gain from it any very definite information.

As the term "freemen" will often be used in the early annals of the town, it is proper to explain here its meaning. Under the first charter of the Massachusetts colony, only those were freemen, who were admitted such by the General Court, and took the oath of allegiance. This custom prevailed till the second charter changed the colony to a province.

In Coffin's Newbury, we read:

"A man might be a freeholder & not a freeman, and *vice versa*. He might be a voter in town affairs, and yet neither a freeholder nor a freeman.

A freeman was one who had taken the freeman's oath, and which alone entitled him to vote in the nomination of magistrates and choice of deputies, *alias* representatives.

A freeholder was one, who either by grant, purchase, or inheritance, was entitled to a share in all the common and undivided lands.

When any town officers were to be chosen, or money raised by way of rate, all the inhabitants could vote.

Thus we sometimes find the expression, 'at a meeting of the free-men', sometimes, 'a meeting of the freeholders', or 'a meeting of the freeholders and inhabitants,' or 'a generall towne meeting,' and sometimes of 'a legall towne meeting.'

These expressions always indicate the nature and object of the meeting, and were *necessary*, as all the transactions were recorded by the town clerk in the same book."

WOODWARDS.

When nearly the whole territory of the township, except the salt marshes, was covered with a dense forest, which had hitherto been undisturbed, it might, to some people, have appeared of little consequence what **TREES** should be taken from the public lands. But such was not the opinion of a majority of the freemen. Their course in this matter evinces a great deal of foresight and a careful regard to the welfare of succeeding generations, as well as to their own immediate interest. To prevent waste upon their timber lands by an indiscriminate destruction of trees, the town appointed Philemon Dalton, William Eastow and William Wakefield, a board of *woodwards*, to assign to individuals, what trees they might take from the common land.

ADMISSION OF INHABITANTS.

Another subject which engaged the attention of the people at this early period, was the admission of persons as inhabitants. Some precaution was evidently needed to preserve the town from harm. Unprincipled and disorderly persons might otherwise, in the infancy of the settlement, have come in from abroad and harassed the whole community by their irregularities, and exerted an influence for evil, that could not have been easily counteracted. This was foreseen, and prudential regulations were adopted for its prevention. The power of admitting inhabitants was guarded with great strictness as the palladium of their civil rights. The town would not delegate this power to any man, or any set of men, but most scrupulously retained it in their own hands. After the first organization, no persons from abroad were admitted as citizens, without permission of the town, whatever might have been their character or reputation; unless on the condition expressed in the following vote: "No manner of person shall come into the town as an inhabitant without the consent of the town, under the penalty of twenty shillings per week, unless he give satisfactory security to the town."

On several occasions, votes were passed to prohibit the selectmen

from admitting inhabitants. As a specimen, the following may be cited, although passed about forty years after the first settlement. The selectmen for the ensuing year had just been chosen. The authority conferred upon them having been stated, they were then "strictly prohibited from granting or exchanging, or any wayes disposing of any land, timber or commonage, or receiueing of Inhabitants: which things are left to the whole Town as formerly."

To show the manner of admitting inhabitants, the two following votes, passed near the close of the year 1639, are transcribed from the records.

December 6. "Liberty is given to W^m Fuller, of Ipswich to come and sit down here as a planter and smith, in case he bring a certificate of approbation from the M^gs or Elders."

December 13. "The like liberty is given to John Saunders of Ipswich, as was to W^m fuller at the last meeting."

LAND GRANTS.

At the commencement of the settlement, HOUSE LOTS were granted to the settlers by the committee appointed for that purpose by the General Court. After the right of disposing of the land had been vested in the town, individuals were not allowed to select lands for themselves, where, when, and in what quantities they pleased; nor did the town by vote grant to each freeman indiscriminately the same number of acres. Some of the inhabitants had undoubtedly expended more money and made greater sacrifices than others in effecting the settlement, and they were, therefore, justly entitled to more valuable grants. In the records it is expressly stated that, in granting land, "respect was had partly to estate, partly to charges and partly to other things."

In point of fact, grants were usually made no more frequently, and in no greater quantities than prudence dictated, or necessity required, though the people in making them were guided by their own good sense, and not restricted by any colonial or provincial laws. They seem not to have been disposed to enter into any speculation, nor to have felt that, because the territory of the whole township was upon their hands, they must give themselves no rest till they had disposed of it. "The same number of *the people*," says Judge Jeremiah Smith, "two centuries later, would have made shipwreck at once. The whole territory would have been granted out in the first year."

December 24, 1639, the town granted to the following persons the number of acres of land denoted by the figures annexed to their names respectively, viz.:

Mr. Steven Bachiler	800	Abraham Perkins	80
(besides his house lot),		(granted Jan. 14, 1640),	
Mr. Timothy Dalton,	800	Richard Swaine,	100
Mr. Christopher Hussey,	250	William Eastow,	100
John Cross,	250	Thomas Moulton,	80
John Moulton,	250	Robert Saunderson,	80
William Palmer,	100	Thomas Jones,	100
Philemon Dalton,	100	William Wakefield,	150
James Davis,		80	

Three weeks afterwards, January 14, 1640, the town took further action in relation to these grants, and determined the *kind* of land to be assigned to the several grantees. The vote was as follows :

"It is agreed y^t evry one of those p^rsons shall have the one halfe of his ground—so granted,—in upland, & that on that p^rte of the Towne w^{ch} is next or towards his house lott, if it be there to be had conveniently & wthout p^rindice; & if it be not, then every one is to have a share according to the p^rportions granted, & to have the rest of that halfe in swampy or wood ground, where it may be had; of the other halfe he is to have a third p^rte in fresh meadow & the rest in salt marsh, or else p^rte of that rest in salt marsh, & the re-maynd^r thereof in swampy or wood ground; And therein the quality of theirs that have the worser is to be rectified wth addition in quantity of the same sort or other."

In June, 1640, grants were made to other individuals as follows :

Henry Ambrose (granted in Oct.),	William Fifield,
Francis Asten,	Giles Fuller,
John Brabrook,	William Fuller,
John Brown,	Samuel Greenfield,
Henry Bright,	Daniel Henrick,
Widow Bristow,	Barnabas Horton,
Ambrose Carpenter,	William Howard,
Richard Carre,	John Huggins,
Aquila Chase,	Widow Mary Hussey,
Thomas Chase,	Edmund Johnson,
Arthur Clarke,	Thomas King,
William Cole,	Richard Knight,
Moses Coxe,	John Legat,
Timothy Dalton, jr.,	William Marston,
James Davis, jr.,	Robert Marston,
— Dow (if he come),	Daniel Morse,
John Eldred,	Henry Moulton,
William English,	Jeffery Mingay,

Robert Page,
 — Palmer,
 Widow Judith Parker,
 Francis Peabody,
 John Philbrick, ✓
 Walter Roper (perhaps at this
 time),
 John Sanborn,
 Stephen Sanborn,
 William Sanborn,
 William Sargent,

John Saunders,
 Robert Saunderson,
 Robert Sawyer,
 Thomas Sleeper,
 Thomas Smith,
 Anthony Taylor,
 Robert Tuck, 100 acres,
 Francis Wainwright,
 John Ward (if he come),
 Thomas Ward,
 John Wedgwood.

(57)

The first lands granted were small tracts for HOUSE LOTS, containing in but few instances as many as ten acres. In many cases these lots, being from ten to twenty-five or thirty rods in width, lay contiguous to each other, so that when other grants were afterwards made to their owners, they usually consisted of land not adjoining their house-lots, and in some instances lying at a considerable distance from them. From this arrangement it has resulted, that at the present time, the farms in the earliest settled portions of the town, are not situated in one compact body, but lie in several detached lots, and are in consequence less convenient than they might have been under a different arrangement. Only five or six grants, styled FARMS, were made at an early period. These were made to Mr. Steven Bachiler, Mr. Timothy Dalton, Mr. Christopher Hussey, Mr. John Cross and John Brown; and none of them lay in that part of the town where the earliest inhabitants principally lived. A farm was also granted to Mr. John Moulton, but he soon after "resigned it to the freemen." Mr. Bachiler's farm was afterwards owned by Mr. John Wheelwright.

THE MEETING-HOUSE GREEN.

The place at first selected as a site for a house of worship, was on the northerly side of the salt marsh, at the distance of about one-fourth of a mile from it. A considerable tract of land near this was called THE MEETING-HOUSE GREEN. This tract included the whole of what afterwards took the name of *Ring Swamp*, together with the road around it. From the easterly part of the Green a common-way was laid out where the principal road to the seashore now goes. Around the Green and along this common-way, many of the early families had their homes, and, in several instances, the house lots of those early inhabitants are now, after the lapse of two centuries and a half, owned and occupied by their lineal descendants. A similar remark may be made concerning a few house lots in other parts of the town.

Along the northerly side of the Meeting-house Green, and the road leading from it to the beach, are extensive fields of tillage land, owned in small lots by a large number of persons, each knowing the boundaries of his own, though not separated from the adjoining lots by walls or fences and, in some cases, hardly marked by metes and bounds. Many years ago, the fences enclosing these common fields were divided and portions assigned to each lot, so that no one of the proprietors might be released from an equitable share of the burden and expense of keeping the fields enclosed, whether his lots lay near the border or in the interior. Latterly, this arrangement has been to some extent disregarded, and those owning the land next to the roads, maintain the fences.

For several generations, these fields have been cultivated from year to year, and no finer corn-fields could be found in New England. After the crops were harvested in autumn, the fields were laid open to the cattle of all the proprietors. This was called "*turning shack*." The custom was probably introduced from the County of Norfolk, in England,—the birthplace of many of the first inhabitants. A similar custom has long prevailed there, and when the cattle are admitted to the fields, they are said to *go a-shack*.

CARE OF THE CATTLE.

The people of Hampton, at an early period, appear to have given considerable attention to the raising of cattle, of which in a few years they had four hundred fifty head, and cattle at that time bore a very high price. For the means of wintering so large a stock, they were much indebted to their extensive salt marshes. In summer they had no lack of pasturage. As yet, however, they had *enclosed* but few, if any, pastures, and were consequently liable to lose their cattle in the swamps and forests, and to have their sheep destroyed by wolves and other wild beasts that prowled the woods.

To preserve their sheep and cattle,—and acting on the principle, that a division of labor promotes the general good,—the town authorities appointed *shepherds* and *herdsmen*, to whom was committed the care of the flocks and herds. The first herdsman mentioned in the records is Moses Coxe, who was appointed in the spring of 1640. From a contract made with him by the selectmen, we are informed as to his compensation and duties. "All the other beasts within the town, except such as have calves sucking them," were to be entrusted to his care, and he was to keep them from doing and receiving hurt by day till "foddering time" in the succeeding autumn. It was no part of his business to collect the cattle from their owners in the morning nor to return them in the evening. The town had caused a fence to

be built around that portion of the Green near the Meeting-house, and to a considerable distance along the roads proceeding from it, and gates to be set up across these roads. To this Green, or common, the cattle were driven by their owners in the morning, and delivered into the care of the herdsman, who returned them to the same place in the evening, and was then released from all care of them for the night.

In full compensation for his services for the season, Goodman Coxo was to receive £20 to be paid in three instalments, viz. : 12d. per beast in hand; a like sum at the end of seven weeks, and the remainder when his work was done. The records give no information as to the number of cattle under his care.

The same year, May 4, by an agreement made with William Palmer, the care of the calves was committed to his son Christopher, a young man then in his minority. His management seems to have been satisfactory to his employers, for the next year, in May, the engagement was renewed for that season: "It is agreed betwixt the towne & W^m Palmer y^t Chr: Palmer shall keepe the calves every working day & every 4th Lord's day, 20 weeks from the tenth of this moneth; for w^{ch} he shall have 8^s p^r weeke, to be payed in worke & other comodities. This agreem^t to continue unless three owners of calves come on that day—in the morn^g—and give notice of another keep^r."

As the cattle must be cared for on the Sabbath as well as on other days, so also should their keepers be cared for. The people were not willing that they should be entirely deprived of the privilege of attending public worship. An arrangement was therefore made to have the care of the cattle committed to other hands, on some of the Sabbaths of each month. Thus, Christopher Palmer was required to spend but one Sabbath in four in taking care of the calves. So also the town agreed with Thomas Jones and Moses Coxo to have the care of the cows *by turns* on the Lord's day, after having joined a while at the beginning, "to go forth aboute half an hour after sunrise" each Sabbath.

At a meeting, April 13, 1640, the town passed the following vote: "No man shall suffer any of his beasts to feed in the meadow or corne-ground belonging to other men, after the [—] of this month, under payne to forfeit for every beast so [feeding] 12^d for every tyme."

At the session of the General Court in the spring of this year, John Moulton, Thomas Moulton and John Crosse were appointed to appraise the "horses, mares, cowes, oxen, goats, and hoggs," belonging to the inhabitants, and by law they were required to value them *below* rather than *above* their worth.

The court also "ordered that there should be a levy of 1200£ raysed," to be laid "upon every towne proportionably and paid within two months." The proportion for Hampton was £10 or the one hundred twentieth part of the whole sum ordered to be raised.

At a town meeting, July 20, it was "agreed or declared," that the grants of land, made on the 24th of December in the preceding year, should stand good to the persons to whom they were then made, and that each of them should have the same, although it had been proposed that the grants should be annulled. It was also voted "y^t the p^rsent country Rate of 10£ shall be made by the Towne Clarke, according to the quantity of upland & freshm[eadow] of those portions & of the rest sitlence¹ granted, together wth the land that some have w^{thout} this Towne; w^{ch} latter land shall be rated but after $\frac{1}{2}$ ^d p^r acre; the former, more, so as the 10£ may be raised."

The Court had ordered that in payment of this rate, "silverplate should passe at 5^s the ounce; good ould Indian corne growing here being clean & marchantable, at 5^s the bushell; su^mer wheate, at 7^s the bushell; rye at 6^s the bushell."

BOUNDS BETWEEN HAMPTON AND COLCHESTER.

At a meeting on the 29th of May, the town voted as follows: "Upon consideration of the bounds to be sett betwixt this [town] and Colchester, the Teacher is desired, & bro^r Hussey & bro: Jo[hⁿ] Moulton, appointed to goe & meet the Co^mmissioners that are to view the grounds belenging, or neare to Colchester & this Towne."

Colchester was the name first given to the town on the southerly side of Hampton, since called Salisbury. The vote here cited is the first allusion in the records, to a protracted controversy concerning the boundary line between the two towns. The subject had, however, been previously brought to the notice of the General Court, and Mr. Edward Woodman, Mr. William Paine and Mr. Thomas Nelson had, on the 13th of the same month, been appointed to view and settle the bounds, and make their return to the court. It was to meet these commissioners, that the men here named were appointed on the part of this town. At the next fall session of the General Court, the commissioners made their return, as follows:²

"Wee whose names are under written, according to the order of the Generall Court, have taken viewe of the bounds of Hampton and Colchester, according to o^r best light, by o^r discovery and fro^m information of both the townes, wee judge it most equall that the line begiⁿing

¹An old word meaning since.

²Prov. Pap., I, 149.

at Hampton Ryver mouth, runing from thence so as to leave Mr. Bachiler's farne layde out, in Hampton bounde, and from the south-erlist line of Mr. Bachiler's farme, the line to extend westerly between Colchester and Hampton, the same point of the compass that Merri-mack Ryver runes, from the mouth to the end of Colchester bounde.

Septemb^r 24, 1640.

Thomas Nelson,
Willi: Paine,
Edward Woodman."

This manner of settling the line was not satisfactory to both of the parties as we shall see hereafter; and the controversy, developing in-to disputes between province and province, and then between state and state, was only finally settled when the states ratified the agreement of 1889.

THE LANDING.

An agreement was made, August 4, 1640, between the town and Richard Knight, in regard to his building and keeping a mill at the Landing, for which the town was to allow him a "reasonable accom-molation."

THE LANDING here mentioned was at a bend in the river, where it swept along by the upland, about half a mile south of the enclosed portion of the Meeting-house Green already mentioned. It was after-ward frequently called Freese's Landing, and is now familiarly known as "The Landing," being on the southerly side of the road, opposite the Benjamin Perkins house; and is, very likely, the place where the first settlers brought their shallop to shore. Across the neck of land around which the river formerly flowed, a passage for the water was made at an early period, and in the course of years, this passage, widened and deepened by the force of the current, became the main river; while that part of the old river between the Landing and the upper end of the passage, or cut, was gradually filled up, so that it long since ceased to be a part of the river; and that portion of the river between the Landing and the lower or easterly end of the cut, has so much dimin-ished in size, that it may be regarded as a creek or cove.

At an adjourned town-meeting, August 25, the following vote was passed: "On the fifth day of the next weeke, the Teacher, bro: Hussey, bro: Crosse, bro: Moulton and bro: Tucke, wth the Towne Clarke [are] to goe and view the highwayes towards Colchester." A week later the following entry is made in the records: "On the sixth day of y^e weeke all the highwayes about the Towne are to be viewed by as many of the Towne as will."

William Palmer was chosen grand juryman for the court to be holden at Boston on the first Thursday in September.

✓ John Crosse was chosen, "by votes in writing," deputy for the town to the next General Court of Election to be holden in Boston on the seventh day of October, in case he be timely recovered of his present infirmity." The records of the Court show that he was present as a member. At this session John Moulton was appointed "to take caption, or cognizance, and to make replevies" in Hampton.

November 6, the town voted that a way, four rods in width, should be laid out from the Meeting-house Green to the Falls, passing through Richard Swaine's home lot. This way, or road, crossed the salt marsh, and will be noticed again as the *causeway* or *causey*.

THE POUND.

January 29, 1641, the Meeting-house porch was, by vote, appropriated as "a *watch-house* till another may be gotten."

The same day a vote was passed concerning a *pound*. The record is as follows: "A Pound (about thirty foote square) is appointed to be sett up by Mr. Dalton's fence; two sides being firmly pro[***] the other sides are to [be] done with sawen railes and posts; [William] Howard undertaking to fell trees, and W^m Eastow and Ro[bert] Marston ***."

Soon afterwards this vote was passed: "The Pound mentioned [at] the last meeting, is appointed to be made [on] the 16th day of this moneth [February] by Thomas King and his company viz.: [***] Moulton, W^m Howard, Abra: Perkins, Philemon Dalton, Jeffrey Mingay, Robert Page, James Davis, Sam: Greenfield, Edm: Johnson, Henry Ambrose and Stephen Samborne." Afterwards it was ordered that Richard Knight should make a gate for the pound, instead of working at the common.

The town having provided a pound, soon after chose Richard Swaine "heyward, or pound keep^r for the next yeare & for impounding great beasts," he was to be allowed two pence apiece, and for small cattle, one penny apiece.

WIGWAM ROW.

March 23: "Upon our comoners undertaking to satisfy Jo: Illbrig [John Philbrick] for his house and lott, and upon John Legat's request, the lott that Eldred was to have had in the Wigwam Row, is granted unto the said Jo: Legat, he coming and dwelling upon it."

The Wigwam Row, here mentioned, extended, if we may trust tradition, nearly parallel with the present road leading from Lane's corner towards Exeter, but farther down the declivity in the meadows, and reached from about the site of Andrew J. Philbrick's homestead to the field opposite the house of the late John Dearborn. It probably re-

ceived its name from Indian wigwams built on the declivity of the hill where it slopes down in a southwesterly direction towards the meadows. The high ground above was probably covered with a dense forest, and, if so, a spot more sheltered from the cold winds and storms of winter, could hardly be found; and as the Indians were not slow to discover the most favorable localities, here, doubtless, several families had their homes, and hence the name.

REDUCTION OF WAGES.

Complaints of the high price of labor, began at an early period, to be made in various parts of the colony. Gov. Winthrop says: "The court having found by experience, that it would not avail by any law to redress the excessive rates of laborers and workmen's wages, etc. (for being restrained, they would either remove to other places where they might have more, or else being able to live by planting and other employments of their own, they would not be hired at all), it was therefore referred to the several towns to set down rates among themselves. This took better effect, so that in a voluntary way, by the counsel and persuasion of the elders, and example of some who led the way, they were brought to more moderation than they could be by compulsion."

To procure a reduction of wages, it is indeed far more rational to proceed by way of "counsel, persuasion and example," than by any compulsory legislative enactments. In any other than despotic governments, it is futile to expect to secure by law a perfect uniformity of prices of either labor or commodities.

But the experiment was tried. In this town it was voted, March 23, 1641, that a workman should be allowed only 1^s 8^d per day from the first of September to the first of March, and 1^s 8^d per day during the remainder of the year, except for *mowing*, for which he might receive two shillings. For a day's work for a man with four oxen and a cart, 5s were to be allowed through six calendar months, from the first day of September, and 6s at any other season. This order was to remain in force till the 14th of the following April, when it was to be further considered. Soon afterward it was so modified, that the *best* workmen should not receive more than 2^s each per day, and others not more than 1^s 8^d.

How long this order remained in force and how strictly it was observed, are not matters of record. Judging from the nature of the case, we may presume that it could not easily be enforced, and that, though, perhaps, never repealed by any formal act, it soon became wholly inoperative.

In order to transact the great amount of business incident to a new settlement, it had been found necessary to hold town meetings somewhat frequently, but hitherto they had not been holden at stated intervals. It was now, March 28, determined to hold a meeting once in three weeks, the first meeting under this arrangement to be holden on Wednesday, the 14th of April, and other meetings to succeed on Wednesday of every third week thereafter, each meeting to commence at 12 o'clock, noon. Every freeman was required to be present, and if any one should "absent himself the space of an hour after 12 from any such meeting," he was to forfeit for each offence "12d. to the use of the town, & the like also in case he should depart, without leave, from the meeting before it was ended." The forfeiture for absence was also made to apply to a meeting holden previous to the 14th of April, for Robert Tuck was fined 12^d for absenting himself therefrom contrary to this order.

At this meeting on the 14th of April, it was ordered that the fences about the *Ring Swamp* should be built within three days, in such a manner as John Moulton and William Wakefield should deem sufficient for the time; and these two men were required to "levy by distress" a fine of 3^s 4^d on each delinquent. At the same meeting it was voted, "that, if after the end of this weeke any man's beasts or cattell be found in the meadows or marshes, the owner shall forfeit 12^d for eury one so found eury tyme."

Five days later, Mr. Christopher Hussey and John Moulton were appointed by the town "to goe wth Mr. Dalton & John Crosse on this day fortnight, to conferre of y^e ferry-place." This ferry was between Salisbury and Newbury, and "crossed the Merrimac at Carr's island, George Carr keeping the Salisbury side, and Tristram Coffin, senior, the Newbury side." The General Court had nearly a year before appointed and authorized "Mr. Edward Woodman, Mr Christo: Batt and John Crosse, to settle the ferry where they [might] think meete."

John Crosse was chosen deputy to the General Court of Election to be holden at Boston on the second day of June.

At a Quarter Court, June 1, the town was fined 2^s 6^d for not being provided with weights and measures, as required by law. At the General Court convened the next day, there were appointed for Hampton, "to order small causes," John Crosse, Christopher Hussey and John Moulton; "and one of them to see people ioyne in marriage in a publike meeting and keepe records of the same." Hence it may fairly be inferred, that the law then required marriages to be in public. How far such a regulation was observed in practice, we know not.

At the same session of the General Court it was enacted that the courts

at Salem and Ipswich should have the same power both in civil and criminal causes as the Court of Assistants at Boston, except in trials for life, limbs, or banishment. Such cases were to be tried only by the court in Boston, and to this court appeals might also be carried from the other courts. Salisbury and Hampton were joined to the jurisdiction of Ipswich, and each of them was to send a grand juryman once a year to Ipswich.

At the same session the court "ordered that Hampton, Dedham, & all the out townes should each of them have a barrell of gun-powder, for w^{ch} they were to give satisfaction to the Treasurer."

CONDUCT OF TOWN MEETINGS.

At a town meeting about mid-summer, some measures of considerable importance were introduced and to some extent discussed, but final action postponed to another meeting. At the close, John Crosse was chosen moderator to preside at the next meeting. Three weeks afterward, July 28, that meeting was holden and measures were adopted, by which future town meetings were to be regulated.

These measures were substantially as follows :

1. A moderator was to be chosen at the close of each meeting for the next succeeding one.
2. The moderator, if the elders were not present, was to open the meeting with prayer.
3. The clerk or register was to call the freeman and note those who were absent.
4. The moderator was to state some proposition to be considered, or to call upon some other one to do it.
5. When any person addressed the moderator, he was to stand up or put off his hat, and while any one was speaking in an orderly manner, no other person was to speak without leave.
6. No person was to speak oftener than twice or thrice to one business, without leave.
7. After any business had been introduced, no person was to propound any other business, till the former was for the time determined.
8. No person, when a matter was in agitation, was to talk of any other thing within the room in which the meeting was holden.
9. The meeting was to be closed with prayer.

The penalty for violating these regulations is stated as follows : "If any man, whether free or no, doe contrary to any of these p^rticulers, he shall forfeit for eury tyme 6^d w^{ch} being demanded by y^e moderator and satisfaction not made within sixe dayes after, the moderator and constable shall distrayne for it, or see it payed, or ready to be payed,

before the next meeting; and the money shall be employed about mending highways, or other necessary town-business."

June 14, 1642. William Howard was appointed by the General Court, "to grant summons attachm^{ts} & replevies in Hampton, in the place of Willi: Wakefield." William Howard, John Crosse and James Davis were appointed for the trial of actions under twenty shillings. The authority of Capt. Thomas Wiggin, one of the assistants of the Court of Piscataqua, was extended to this town, the settlements on the Piscataqua having been the year before received under the jurisdiction of Massachusetts.

At the same session, the General Court made a regulation concerning the registration of births and deaths, the faithful observance of which would have been of inestimable value to the genealogist of later years. It was conceived in a right spirit, and in its operation was intended to be retrospective as well as prospective. As a regulation for the future, it ordered that the clerks of the writs should take especial care to record all births and deaths of persons in their towns; and to remedy any defect in the past, it provided that the clerks should use their utmost endeavors to find out, in their several towns, who had been born, and who had died since the first founding of those towns, and to make a record of the same.

"THE BREEDING OF SALT PEETER."

In the manufacture of *gun-powder* for the colony, a supply of *salt-peeter* was needed. The General Court passed an act, September 27, making provision for procuring such a supply. It reads thus:

"The townesmen [selectmen] in every towne shall take order that ev^{ry} house, or some two or more houses do ioine [join] together for the breeding of salt-peeter in some outhouse used for poultry, or the like, and give them direction about the same; and every towne w^{ch} shall neglect the execution of this order before the last of the first month next, [March 31, 1643,] shall forfeit 20^s; ev^{ry} family so appointed, that shall faile therein, shall forfeit for ev^{ry} month so failing 12^d; and [they are] to let them know that such peeter as shalbee raised by this meanes shalbee to the publique use; but the owners shall have a due price for the same."

William Eastow was appointed "to have the charge of looking to this order" in Hampton.

Hampton was fined 20^s for failing to comply with the provisions of this law, though the fine was afterwards remitted on condition that the town should provide "peeter-houses," for the future.

A rate of £800 was ordered to be raised in the colony, payable in

November. The proportion for Hampton was £5. By an order of the court, payment might be made in beaver, money or wampum; or in any of the following articles, at the prices specified, viz., wheat and barley at 4^s per bushel; rye and pease at 3^s 4^d, and Indian corn at 2^s 6^d.

William Palmer was chosen *woodreeve*, May 4, 1644, in place of William Wakefield who removed from the town about this time. The term, *woodreeve*, is here used as synonymous with *woodward*, an officer whose duties have already been mentioned.

At another meeting there were granted to John Wedgwood two acres of meadow "all next the hether side of the Great Pond neere that which was sometimes Will: Wakefield's meadow—it it be there to be had—*all wayes reserveing ways to the fowling pond.*" From this reservation—and it is not the only one of the kind—it may be inferred that the practice of fowling, or gunning, for which Hampton is somewhat noted, was commenced at a very early date. There are certain localities in the town, which were favorite resorts for different kinds of fowl, and which continued so for many years, till the frequent visits of the fowler, in the pursuit of game, rendered these haunts entirely unsafe. As to the *profit or loss* to those who have been in the habit of gunning here at any time during the present century, there is but one opinion among those whose judgment has not been warped by the excitement and fascination of the employment. That it was *less* unprofitable many years ago, is very probable.

TOWNS—HOW RANKED.

It was ordered by the House of Representatives May 20, 1644, that from that time forward, the existing towns and also those that should afterwards be "erected" in Massachusetts, should rank "according to their antiquity," or as it is expressed in the order, should "take theire places of p^rcedencie both in y^e transactinge of y^e affayers of this howse, as also in all other such occasions as may fall out wth in this colony respecting such p^rcedency of place." In the list of towns in connection with this entry in the court records, Hampton occupies the *sixteenth* place.

The quiet of the town had for some time been disturbed by party feelings. The differences among the people were partly, perhaps principally, though not entirely, ecclesiastical. Petitions from the different parties—one signed by Christopher Hussey and eighteen others, another by William Howard, and still others by other persons—were sent to the General Court in June, asking for legislative interference in the settlement of their difficulties. The court appointed a committee with full power to hear the parties and determine everything in controversy among them. The committee were Mr. Bellingham,

Mr. Saltonstall and Mr. Symonds. Among other difficulties to be adjusted by them were those that had arisen concerning a *new plantation*. But of the nature of these difficulties, or the place and circumstances of the plantation, we are not informed, as this is the only allusion to it that we have found; and not having met with the report of the committee, we are ignorant of the measures adopted for the attainment of the object of their appointment. Concerning one of the petitions, we find in the records of the court, the following entry: "It is ordered, in ans^r to Lift^t Howards peti^{ti}on, that his charges alowed him to be p^d him by y^e towne of Hampton, bee forborne untill y^e foregoeing comitte^e of magsts doe end y^e differences betweene y^e inhabitants of the said towne."

DUTIES OF TOWN CLERK.

William Wakefield, the first town clerk, remained in office about three years and a half, when, having determined soon to remove from the town, he probably resigned the several offices held by him. William Howard succeeded him in the office of town clerk, which he held till he, too, was about to seek a new residence.

The duties of the town clerk, summarily stated, were "to keep the book and to record such acts as should be made by the town." Other duties, however, were required of him. At the meeting when Mr. Howard was elected, a vote was passed for registering all the grants of land that had been made, and this business was assigned to the town clerk. The record of the vote is in these words:

"It is ordered that every inhabitant in the town shall, within one mounth after the date hereof, bring to the towne clarke in wrighting, upon the lectter dayes within the same mounth, the severall abutments of their lands; and, as neer as they can, upon what poynt they laye; with six pence in courne [corn] for every p^rshall [parcel] of land they haue, either granted, appoynted, or possessed by them, for the recording thereof; And six pence for every mans [w]hole p^rportion, for a transcript to be written to send to the secretary to be recorded; And every one who shall be found defective herein at the mo[nth's] end, shall forfeit five shillings, & from thence following, 12^d per weeke untill they doe reforme according to this order."

Accordingly, the town clerk was furnished with a statement and description of a large number of grants, that had previously been made to the inhabitants. These grants, with the quantity of land and the abutments of the several lots, were entered upon the records, where they still remain, alike creditable to Lieut. Howard for clearness and order of arrangement, and for beauty of chirography.

Two or three months later, April 1, a vote was passed declaring all

gifts, grants, or elections, or any act whatsoever, done by the freemen, illegal, unless recorded by the town clerk. In July, the General Court ordered that there should be raised in the Colony a rate of £617 15s., one-half to be paid in three months and one-half by the end of the first month next [March, 1645], in cattle, corn, beaver, or money, as towns please. Of this rate, Boston was to pay £100, Hampton £10 and four towns a less sum each. Hence it appears, that in this instance, Hampton was required to pay one-tenth as much as Boston, and more than one sixty-second part of the whole rate.

OWNERSHIP OF THE COW-COMMONS.

Near the beginning of the following year, a measure of great importance to the inhabitants was consummated, the design of which was to settle for all future time the question of ownership of a large tract of ungranted lands, known as the cow commons, and to determine severally the shares of the proprietors. This measure was not adopted hastily, as it had been under consideration more than two years, but had constantly met with strenuous opposition. There were in the town, as has already been stated, two parties, that on various subjects were very far from harmonizing, either in their opinions or their practices. Great bitterness of feeling prevailed, originating, indeed, from different sources, but fomented and cherished, to a considerable extent, by a single individual; a person of acknowledged ability, shrewd, calculating, of indomitable energy,—but, in the estimation of many, an unprincipled demagogue; one who knew the *law* well, as his friends claimed,—for he had both friends and followers;—but who, in the estimation of his opponents, was so fond of litigation, and so constant in his attendance upon the courts, as a party litigant, a witness, or an agent, that, in their quaint language, he was said to be “more meeter to follow the *courts* than to follow his *work*.”

At length the vexed question relative to these commons came fully and fairly before the town at a meeting holden expressly for this purpose, February 23, and warned ten days beforehand. After mature deliberation, a majority of the voters present decided upon, and adopted a plan, which they hoped would be satisfactory and final. But agitation was not yet at an end. Just before the time of the meeting, Edward Colcord,—the person so notorious for stirring up strife,—went out of town, and was absent till after the meeting. On his return, “he found himself greaved at the Towns act that passed, because he was not in the first place considered, and [he] gayned many to side with him, whose speaker he was.”

Those opposed to the measure had recourse to the General Court for redress. At the May session, a petition was presented, signed by John Moulton and Edward Colcord, setting forth that great injustice had been done in the division of the commons, inasmuch as some persons with seven children, and paying forty or fifty shillings to a rate, had not so many *beasts-lease* as others with but two children, and paying not ten shillings to a public rate; and they asked for the appointment of "indifferent gentlemen of o^r neighboring townes to heere our sayd greauances and obserue any answer that may be made hereunto."

Against this petition, a remonstrance was presented, signed by William Howard in behalf of the town, in which he makes use of this language: "Our deferances have been so long and tedious, as that they euen make our spirits to droop under them." After stating the action of the town, and the course pursued by Colcord, he concludes as follows:

"Our humble request is that this honored Court would please to appoint the hearing and determination of the matter to any court in a iuditiall waye,—except onely the Court of Paschataqua,—or to our honored magistratts whom we haue chosen as our Judges in these or the like casses, unto whom I trust we shall willingly submit and rest foreuer obliged to the honored Court for their fauer herein."

The action of the Court appears from the record: M^r Samu: Dudley, M^r Edw^d Rawson, M^r W^m Paine and M^r Casleton are appointed to search and examine all differences at Hampton, & make retorne of what they shall do or find in y^e p^mises to y^e next siting of this C^te, & [they] haue hereby pow^r on oath to examine witnesses."

The report of this committee has not been found, but the arrangement made by the town, relative to the commons, was never set aside by the Court. It was afterwards slightly modified by the town, so far as related to the land on the south side of Taylor's river, for the purpose of allowing a due share of commonage to the *five farms*, all of which lay in that part of the town.

The record of the vote assigning to individuals their respective rights in the cow commons, is as follows:

"The 23: 12 mo, 1645." [i. e., Feb. 23, 1646.]

"Itt is ordered y^t there shal be only reserved to the power of the freemen of Hampton 200 acres of ground for them to dispose of hereafter as they shall see just cause besides thatt thatt is already granted to seuerall persons: all other grounds are hereby ordered to bee common to the town of Hampton foreuer, excepting only and always re-

reserving to the power of the freemen the liberty of ordering both feed-
age and sweepage. And the land as aforesayd is divided into one
hundred and forty seven shares, and given to the severall lots and
p'sons hereafter mentioned, excepting only and always reserving to
the severall farmes a due p'portion of commonage, to them and every
of them answerable to their severall p'portions of ground, and thatt
on thatt partt of the towne on which the severall farmes doe ly; the
names of all the severall p'sons thatt the residue of all the commons
aboue s^d are given and conferred unto, are as followeth:"

A true and p'fect List of the Shares of the Common, Granted unto the
p'prietors of House Lotts, as followeth: 28: 12 mo. 1645.

Ant: Taylor	2 shares	Tho: Slooper	1 [share]
Hen: Greene	2	Tho: Chase	2
Ed: Colcord	2	John Philbrick	1
Jef: Mingay	3	Our Teachers lott	2
Sam: Getchell	1	Hen: Sayword	1
Tho: Louitt	3	The Almsh Lot	3
John Marrian	2	John Brown	2 besides his farme
Hen: Ambrose	3	Will: Samborn	2
Tho: Ward	3	Acquill: Chase	1
Gill: Fuller	2	Will: mfield	2
Will: English	3 [1st lot]	Wid: Bristow	1
Abra: Perkins	3	Moses Cocks	2
Isa: Perkins	3	John Wedgwood	2
fran: Peabody	3	Edm: Jonson	3
Will: Coule	1	Chr: Hussey	2 besides his farme
Phile: Dalton	3	M ^r Bachiler	2 besides his farme
Mary Hussey	1	John Sanborn	2
Will: Marston	3	Will: fuller	3
Tho: Marston	2	James Davis Sen ^r	3
Robe: Page	3	Our Teacher	3 besides his farme
Will: Moulton	2 } 2 lotts	Rich: Swaine	3
Will: Moulton	3 }	Will: Swaine	2
Will: Eastow	3	John Crosse	2
Mor: Hobes	2	Will: English	2 [2 nd lot]
Will: Palmer	3	Rob: Tuck	3
John Moulton	3	fran: Swaine	2
Tho: Moulton	3	Rob: Sayword	1
Y ^e Elders Lott	3	Will: Howard	3 } 2 lotts
Hen: Moulton	2	Will: Howard	2 }
Hen: Dowe	3	Wal: Roper	3

Of the one hundred forty-seven shares provided for in this arrange-
ment, eleven were retained by the town to meet future exigencies.
But by this act of the town, *there was not any actual division of the
land*, but merely a settlement of the question of *ownership*, and of the
amount of interest that the proprietors severally had in these undi-

vided lands. It was intended that the whole should still be held in common, but that whatever income or profits might be derived from them, whether by feedage or sweepage, should be divided among the owners according to their respective shares, or rights, in the commons. .

In accordance with this arrangement, whenever any portions of the commons were subsequently surveyed, lotted out, and disposed of, such portions were divided into one hundred forty-seven shares, and distributed by lot, and in due proportions, to the original proprietors or their legal representatives. Hence, too, in the conveyance of any of these rights, or shares, whether by will or by deed, there was no transfer of any particular tract, or lot, of land, but of so many one hundred forty-sevenths of the whole of the commons, as there were shares mentioned in the instrument of conveyance.

CHAPTER II.

LABORS, CONTROVERSIES AND SUPERSTITIONS. 1647-1662.

THE SUFFRAGE EXTENDED.

HITHERTO none but *freemen* had been permitted to hold any important office either in the government or the town, and none could become freemen except church members. The right of suffrage, or of voting in the election of public officers, had been equally restricted. Hence there were in the colony many persons of distinguished ability and undoubted integrity, men, too, possessed of property, and paying taxes for the support of government, who were allowed no voice in the management of public affairs. But now this rule was somewhat relaxed. The General Court, in consideration of "the useful parts and abilities" of such, and of the advantages to the commonwealth that might be derived from their services, passed an act, May 26, 1647, declaring that it should thenceforth be lawful for the freemen within any of the towns in the colony, to make choice of such persons to serve as jurymen, and in some other offices, provided that they had taken, or should take, the oath of fidelity. But the law still required that a *majority* of every board of selectmen should be freemen; otherwise, no act done by them would be valid. Those, not freemen, who might thus be voted for, were also by this act of the court themselves permitted to vote for public officers, and, under some circumstances, to act with the freemen, in ordering schools, herding cattle, laying out highways and distributing lands, any law, usage, or custom to the contrary notwithstanding. But in order to enjoy these privileges, the man who was not a freeman must have attained the age of twenty-four years, and if convicted in court, of any evil carriage against the government, or commonwealth, or church, he would immediately be deprived of them, and could afterwards, in no way, recover them, "until the court, where he was convicted or sentenced, should restore him to his former liberty."

THE COMMON-SCHOOL SYSTEM.

Another subject of great importance was agitated in the General Court at the fall session of the same year, and resulted in the enact-

ment of a law highly honorable to the members, and worthy of being read and studied, and pondered and admired by succeeding generations. This was a law making provision for the education of the young, by the establishment of a school in every town in the commonwealth containing fifty families, or more. Although the interests of education had not previously been neglected, and Harvard college had been established more than ten years before, and was already doing much for those interests, still the enactment of this law may be regarded as the beginning of a series of measures for the education of *the whole people*; in a word, as the germ of the *common-school system*, to which New England generally is so deeply indebted.

The considerations that led to the enactment of this law are briefly set forth in the preamble to the act, and the language used is so unique, and at the same time, so characteristic of the people of Massachusetts in that age, and the law itself is one so worthy of being known, that no apology is deemed necessary for inserting both the law and the preamble, without abridgment or alteration :

"It being one chiefe p'lect [project] of y^eould deluder, Satan, to keepe men from the knowledge of the Scriptures, as in form^r times by keeping y^m in an unknowne tongue, so in thes^e latt^r times by p^rswading from y^e use of tongues, y^e so at least y^e true sence & meaning of y^e originall might be clouded by false glosses of saint-seeming deceivers;—y^e learning may not be buried in y^e grave of o^r fath^r in y^e church & co^mmonwealth, the Lord assisting o^r endeavor.—It is therefore ord^d y^e ev^ry towneship in this iurisdiction, aft^r y^e Lord hath increased y^m to y^e number of 50 household^r, shall then forthwth appoint one w^hin their towne to teach all such children as shall resort to him, to write & reade,—whose wages shall be paid eith^r by y^e parents or mast^r of such children, or by y^e inhabitants in generall by way of supply, as y^e major p^t of those y^e ord^d y^e prudential [affairs] of y^e towne shall appoint; p^rvided those that send their children be not oppressed by paying much more yⁿ they can have y^m taught for in oth^r townes; and it is furth^r orderd y^e where any towne shall increase to y^e numb^r of 100 families or household^r, they shall set up a gra^mer schoole, y^e m^r thereof being able to instruct youth so farr as they may be fited for y^e university, p^rvided y^e if any towne neglect y^e p^rformance hereof above one yeare, y^e every such towne shall pay 5£ to y^e next schoole till they shall p^rforme this order."

On another occasion, the General Court having premised that "the good education of children is of singular behoof and benefit to any commonwealth," and that "many parents and masters are too indulgent and negligent of their duty" towards their children, enacted such a law as, in their opinion, the case demanded. It was made the duty of the selectmen in their several precincts and quarters, to have a vigilant eye over their brethren and neighbors, to see, in the first place, that none of them should suffer so much barbarism in any of their

families, as not to endeavor to teach by themselves or others, their children and apprentices learning enough to enable them perfectly to read the English tongue, and to give them a knowledge of the capital laws, under penalty of twenty shillings for each and every neglect.

What provision was made for the education of the children in this town, during the first ten years of its history, is not known. To suppose that *no means* were employed for their instruction, would be derogatory to the character of a people, who, from the very settlement of the town, had shown a willingness to make sacrifices in order to maintain among themselves the institutions of religion. While the religious interests of the community had been so well cared for, it is not probable that the intellectual culture of the children had been wholly neglected. We know that Harvard college had taken a deep hold upon the affections of all the people, who cheerfully endured many privations, that they might contribute to its support and enhance its usefulness. The inhabitants of Hampton were not wanting in their attachment to the college; and when called upon for aid, they contributed cheerfully, if they could not bountifully, to its necessities.

The progress of education within the town is connectedly set forth in the chapter on public schools.

AN ENEMY TO BE MET.

Before the formation of European settlements in New England, the beasts of the forest had been free to range the country, their right undisputed, and themselves unmolested, except occasionally by an arrow from the bow of some Indian hunter. But now, the white people were rapidly making inroads upon the forests, and disputing the right of the wild beasts to come upon grounds that had been cleared and cultivated. It could hardly be expected that the authority of the new settlers would be at once respected, and the wild animals leave them entirely unmolested. The *people*, indeed, were not often attacked, but their *sheep* and *cattle* were in constant danger, especially from *wolves*.

To devise means, then, for destroying the wolves, was considered worthy the attention, both of towns and legislatures. Bounties were frequently offered for killing them within certain limits. As early as 1645, a bounty of ten shillings was offered here for each wolf killed by a townsman. This vote was passed, 27: 11 mo: 1644, that is, Jan. 27, 1645, and is thus recorded: "It is hereby declared that every townsman which shall kill a wolfe & bring the head thereof & naye the same to a little red onke at the northeast end of the meeting-house—

They shall have 10s a wolfe for ther paynes out of the town fines; or otherwise, if noe fines be in hand."

Nine years afterward, the bounty was quadrupled. In 1658, it was increased to £5. In 1663, it was £6 10s.

About the year 1648, the General Court directed that 80s., at least, should be paid to an Englishman, and 20s. to an Indian, for killing a wolf within any town in the colony;—in either case, 10s. to be paid by the county, and the remainder by the town where the wolf was killed. Several years later, a bill passed the lower house, to allow 40s. for each wolf killed, to be paid out of the public treasury, besides what the town might give. Although this bill, by not being concurred in by the magistrates, failed to become a law, yet it is important in a *historical* view, proving by implication at least, the sufferings and losses occasioned by the depredations of the wolves, here represented as "the destroyers and devourers of cattle of all sorts."

Another expedient was resorted to by the General Court. The selectmen of each town were authorized to procure, at the town's expense, so many *hounds* as they might think proper, and impose the keeping of them on such persons as they judged fittest, so that all means might be used for the destruction of the wolves. No other dogs than those allowed by the selectmen, were to be kept in any town.

No record has been found of any action under this law, by the selectmen of Hampton. Hence it is not known how many hounds if any, were considered needful, nor on whom the keeping of them was imposed. As little do we know of the success of the plan in other places.

CARE OF COWS AND CALVES.

An arrangement somewhat different from the one heretofore noticed was made in 1648, about the care of the cows and calves for the season. For convenience, the cows were to be pastured in two separate herds nearly equal, with two keepers to each herd. John Cass, for himself and Isaac Perkins, agreed with the selectmen, carefully to keep one of the herds, or one-half of the cows in the town, from the 18th of April till a fortnight after Michaelmas, or near the middle of October. The keepers were to go in the morning, to the fall-gate near Robert Tuck's,¹ about half an hour after sunrise, to take charge of the cows, on all days except the Sabbath, and they were also to have the care of them every *third* Sabbath. For the performance of this service, the selectmen agreed that they should receive £15 10s.

¹At the angle of the roads on Rand's hill.

In payment, they were to have one pound of butter for each cow in the herd, at 6d. per pound. One half of the remainder was to be paid in wheat, to be delivered the next September, at 4s. 6d. per bushel; and the rest in the following February, in Indian corn, at 3s. 6d. per bushel. In the case of a failure, on the part of any owners, to pay their proportion in due season, it was stipulated that they should pay the keepers 6d. per week, smart money, till the debt should be cancelled.

By a similar agreement made a few days afterward, with William Moulton and John Woding, they were to have the care of the other herd, from the 22nd of April, on precisely the same terms, except that this herd was to be collected at John Moulton's.¹

Thomas Nudd agreed to have the care of the calves, from the seventh of May to the sixth of October, for £11, to be paid as the other keepers. Persons neglecting to send their calves to the herd till seven days after it had been entrusted to the keeper, were to furnish a person to assist him one day; and extra pay was to be given for all calves not put to the herd till after midsummer. The calves were to be driven to pasture every day at sunrise.

THE GRASS ON THE COMMONS.

In the summer of the next year, a regulation was made by the town, for the preservation of the grass growing upon the several commons. No person was to be permitted to cut any of it before the 15th of July, under penalty of 5s. a day for each person found violating the order. To enforce the regulation, the town made choice of William Marston, Sen., and Anthony Stanyan, as their agents, to levy the fines incurred.

CONTROVERSY ABOUT THE GREAT OX-COMMON.

About this time, we find a controversy existing between the town in its corporate capacity, and some of the inhabitants, about the ownership of the Great Ox-Common. This common was a large tract of upland, salt marsh and thatch-ground in the easterly part of the town, the whole tract being nearly surrounded by the river and the ocean. Beginning about one hundred rods northerly of Great Boar's Head, it extended along the seashore southerly to the mouth of Hampton river; thence up the river westerly to the junction of Brown's river with the main branch; thence along the easterly and southerly side of Brown's river, to the place of beginning, which was where the river

¹The Daniel Moulton place, now owned by Mrs. E. S. Stone.

at that time approached very near the beach, a little southerly from the road now called "the causeway." From this place to the northerly side of Great Boar's Head was the only portion that needed to be fenced.

The upland within these limits includes the portions now known as Great Boar's Head, The Ridge, The Common, Sargent's Island, and Easton's Neck, or Eastman's Point. The marsh and thatch-ground include Great Neck, Little Neck, The Common-marsh, Hendrick's, a part of the Spring-marsh, and some other smaller tracts.

It had been agreed at a town-meeting on the 23d of March, 1641, to set apart this tract as an ox-common from that time "to the world's end." It was also voted, that it should be fenced within two weeks. As at the expiration of that time the fence had not been built, the town soon afterwards appointed a day definite when the work should be done, and for security against another failure, designated by name the several persons who were to do the work, specifying which of them should make and set up the gate.

This common was appropriated exclusively to the pasturage of oxen, as its name imports. The pasturing of horses there was strictly prohibited, and any person, whose horse should be found on the common, was made liable to pay a fine of 5s. for each offence. The marsh and thatch ground, that were unsuitable for grazing, were valuable for the hay they afforded, and the sweepage belonged to the proprietors.

The parties to the controversy to which allusion has been made, agreed to submit the question of ownership, for adjudication, to the ministers, Timothy Dalton and John Wheelwright, together with Edward Colcord.

This committee reported, March 31, 1649, that the common should belong to those persons who were inhabitants at some former period to which they alluded—probably the time of the vote already mentioned—their heirs and assigns forever, in an equal proportion; and that the house-lots at that time, which had continued such till the date of this report, should also be entitled to their just proportion of it. The report appears to have been favorably received, and the town immediately appointed and empowered William Eastow and John Sanborn to lay out all the salt marsh in this common, so that the owners might receive the benefit thereof, though the shares were not then severally assigned to individuals in fee. Indeed, the marsh was not at this time actually divided into shares, but only surveyed, still to be held in common by the owners, agreeably to the vote, by which it had been set apart as a common forever.

HIGHWAYS.

A little previous to the settlement of the town, a way had been traced out from Newbury to the Piscataqua, passing through the woods of Winnacunnet. It could hardly be called a road, for it was probably only a foot-path seldom trod, and indicated to the traveller by blazed trees. Besides this, the first inhabitants found no roads but winding paths made by the wild beasts roaming the forests, or formed by the Indians around their wigwams and accustomed haunts, whether in pursuit of game in the woods, or going to the river to obtain shell-fish from its banks, or to make excursions upon its waters in their birchen canoes, for fishing and other purposes. But the necessities of the people soon compelled them to make other paths, some of which became public roads, while others were given up for better routes.

It is difficult to estimate the labor and expense incurred by the early inhabitants, in making and maintaining such roads as were indispensable. No wonder, therefore, that these were, in many instances, laid out in a serpentine, or even a zigzag course, to carry them over ground favorable to their construction. Some of their curves and turnings might probably have been avoided, without enhancing the cost. It cannot be supposed that those who acted for the town, never erred in judgment. They claimed for themselves no such infallibility nor do we claim it for them. But if we would decide correctly in what cases a better location might have been given to the roads, without increasing the expense of their construction, we should know what changes have been produced in different localities by clearing, drainage and cultivation. Other considerations than their feasibility, however, without any doubt, in some instances determined the location and course of the roads, which in that age were not like some at the present day, designed wholly, or mainly, as thoroughfares between different and distant towns. They served rather as avenues to the farms and lots of the inhabitants. As such, a circuitous, in preference to a direct route might wisely be chosen, where a larger number of the inhabitants would thus be accommodated.

To connect the settlement at the Falls—or on the south side of Taylor's river—with the town, a more direct road was needed, especially as this was also on the route to Salisbury, Newbury, and other towns that had been settled in Massachusetts. This was an expensive road to build and maintain, for it must cross a considerable tract of salt marsh, which was often overflowed by the tide, and over which the current sometimes swept with great force. To maintain a good road

across this marsh was considered too heavy a burden for the town a century and a half later. It might well, then, in the infancy of the settlement, be regarded as a great undertaking.

But as the public convenience required such a road, and it was deemed indispensable to the settlement and prosperity of that part of the town lying south of the marsh, the subject was early brought before the people for their consideration, and the town voted, November 6, 1640, to lay out a road four rods in width, from the Meeting-house Green to the Falls, to pass through Richard Swaine's home lot. It appears, however, not to have been built immediately; but a bridge had been thrown across the river sometime before mid-summer of that year, for it is incidentally mentioned in an entry on the Records, under date of July 8th, when there was made to John Sanborn a grant of a tract of land, lying "on the east side of the common way beyond the great bridge towards Salisbury." The next spring, Richard Swaine and William Wakefield were directed by the town to join, with Salisbury in laying out the highway to that town. The road over the marsh was a part of this highway. Years passed before it was completed, and further action was taken in town meeting in regard to it. It was ordered, May 1, 1645, that every person in the town should sufficiently make his share of the causeway toward Salisbury before the end of the month. The road was to be built in this manner: Two ditches were to be dug across the marsh and the road to be built between them. The ditch on the west side of the road was to be five feet wide, and that on the east side, four feet, and the "floor of the causeway" to be eight and a half feet in width; and wherever it should be needful for a "gutter-tree" to be laid, it should be the duty of the person, on whose share it might be, to see it done. Any man failing to perform the work assigned to him, within the time specified, should be fined 2s. 6d. for every rod which he should fail to build.

To keep this road in repair, after it had once been made passable, required no small amount of labor, both on account of the softness of the marsh, in consequence of which it failed to sustain the materials used in its construction, and of its liability to be washed away by the tide, especially at those seasons of the year when large quantities of fresh water were coming down from above. So much labor and expense were needed here, that some other roads were somewhat neglected, and the town was presented at the court at Ipswich, for not repairing the highways and keeping them in good order. A fine was imposed, which the town petitioned the General Court to remit; as by reason of their limited means and the greatness of the work, they were unable to compass or perform it in any reasonable time; and they

estimated that the repairing of one road—the causeway—would “cost neere one hundred pounds.” They also asked for a reasonable time in which to repair their roads. The court, in answer to the petition in November, 1646, remitted the fine, and granted the town £5 out of the next country rate, on condition that a sufficient cart and horse way should speedily be made “over the great marsh,” as it was termed by the court. X

The records of the General Court also show that, in answer to the petition from Hampton, Mr. Waldron and Lieut. Howard were appointed, to search out and examine the nearest and best way from Dover to Salisbury, that would be attended with the least expense, whether passing through the woods or elsewhere. As no request for such a committee was made in the petition, it is probable that the court supposed that a route for a road might be found farther west, that would be a substitute for the one across the marsh, thus, so far as the public were concerned, relieving the town of the necessity of maintaining a road so liable to be rendered impassable and useless. The report of this committee, if any report was made, has not been found; but the most direct way between the towns mentioned, still continues to be over this marsh.

On the 15th of May, 1650, the town voted, that the causeway should be sufficiently repaired within sixteen days, each person doing the share that had previously been assigned to him, except in certain cases specified in the vote. If any person should neglect to do his part, he was to pay a fine of ten shillings for each rod not properly repaired; and the constable, together with Abraham Perkins, was to collect the fines and see that they were laid out in repairing the road. Richard Swaine and Thomas Ward, both of whom lived near the marsh, were to give information to these men, of every case of neglect.

Here we leave this subject for the present, but shall have occasion hereafter to refer to it again.

In this same month of May, Thomas Wiggin was appointed one of the magistrates usually called assistants.

The early inhabitants of the town, as has already been noticed, by laying out detached portions of land to the same individual, made its cultivation more inconvenient. But this was the result of circumstances, and not done through inadvertence or ignorance, as may be inferred from a vote of the town July 15, 1650, concerning the salt marsh on the south side of the river. It was ordered that, in laying it out, the shares should be made unequal in size, proportioned to their distance from the town. Those the most distant were to be the largest, and the shares to be smaller as they were nearer home.

SCARCITY OF MONEY.

By industry, frugality and economy, the people in general, it is believed, were enabled to live very comfortably; but when called upon to raise money for any purpose whatever, it was with great difficulty that they could meet the demand. In illustration, reference may be made to their course concerning a barrel of powder, procured by the town by order of the General Court. The town, at the time of receiving it, appears to have given security for payment, and some time afterward caused a rate to be made for the purpose of meeting this payment. Philemon Dalton the constable, and William Eastow were ordered to collect it forthwith, and in case of their neglect, they were to forfeit 10s. apiece. Abraham Perkins and Jeffery Mingay were at the same time appointed to take their fines, if any should be incurred. This was on the second of September, 1650. About thirteen months afterward, the Surveyor General of Massachusetts arrested Roger Shaw, who was at that time the deputy to the General Court, for the sum of £8, which was due from the town to the public treasury, for this same barrel of powder; and the court gave the person arrested authority to make a levy on the inhabitants for reimbursement. The next winter, the town voted, that every person indebted for powder received from William Howard, should make immediate payment in such pay as should be acceptable to the country, that is, the government.

A petition, signed by Richard Swaine, William Swaine, and other inhabitants of Hampton, for relief on account of being unjustly molested by persons claiming to have power from Mr. Bachiler, having been presented to the General Court, in the autumn of 1651, the court ordered, that whatsoever goods or lands had been taken from any of the inhabitants of Hampton, by Edward Colcord or John Sanborn, upon pretence of being authorized by Mr. Bachiler, either with, or without execution; should be returned to them from whom they had been taken, and the execution called in, and no more granted, until there should be produced to the county court at Salisbury or Hampton, sufficient power from Mr. Bachiler to recover the same. This was after Mr. Bachiler had sued the town, to recover unpaid salary.¹

OLD GRANTS EXAMINED.

At a public town meeting, held March 6, 1652, an order was made, that the "seven men," that is, the selectmen, together with the elders, or ministers of the town, should examine all the old grants, and confirm such of them as they might think proper; and they appear to have been authorized to increase the 147 shares of the Cow Common

¹ Chap. XIX.

to 157, and to dispose of the ten shares added, according to their best judgment. They were also empowered to enlarge the number of shares in the Great Ox-Common, and to dispose of the new shares at their discretion.

The committee performed the duties assigned them, but seem to have thought it inexpedient to create any new shares in either common. Their report, without date, signed by all the committee except Richard Swaine, one of the "seven men," is as follows :

"Wee whose names are hear under written haue made good and confermed all y^e old grantts and Apoynsted them in ther perticuler plases according to y^e poure giuen us by y^e towne by y^e townes order bearing datte y^e 6th first mo. 1651.

Timothie Dalton	Jefferie Mingy
John Whelewright	Abraham Perkins
Christopher Hussey	John Sambourne
William fuller	Thomas Word."

At the same meeting at which the foregoing committee was appointed, the town gave permission to William Swaine, to take from the public land so much timber as he could manufacture into oars *with his own hand*, in one year; but none of the timber was to be cut within a mile and a half of the meeting house.

In making regulations about the wood and timber on the common lands, the town appears to have had as much regard to the convenience of the inhabitants severally as was consistent with the public good. To have allowed the cutting of trees indiscriminately to all, and in unlimited quantities, would have been productive of great waste, and the public domain would soon have been stripped of its most valuable timber. Hence some restrictions became necessary. These were altered from time to time, to meet existing circumstances.

Late in the autumn of 1652, this subject was brought before the town for consideration, and certain regulations made. Liberty was granted to all the inhabitants, to make pipe and hogshead staves upon the commons, till the last of March following—a space of a little more than four months. But during this time, no inhabitant was to be allowed to employ any person not belonging to the town, to work up any timber taken from the commons, under penalty of 10s. for each tree thus wrought into staves; and all the timber that had been felled, and at the expiration of this time had not been fully wrought into staves, was to be at the town's disposal, whether found in trees or in bolts.

This regulation was defective, inasmuch as, while it declared the timber cut on the commons to be forfeited in certain cases to the

town, it still made no provision for taking the forfeiture. After one year's trial, it having been found that the law would not execute itself, the selectmen appointed John Sanborn and William Fifield, to seize all the timber found to be forfeited by virtue of this order. Four days later, January 20, 1654, the town voted that the regulation should be continued, and the forfeit taken.

At the same meeting, the town forbade the felling of either white oaks or red, for bolts, staves or heading, upon any part of the commons within two miles of any dwelling house in the town, under penalty of 10s. for each tree felled in violation of the order.

"Itt was then ordered by vote that Every Inhabitant shall haue liberty to make pittes or sett trappes for the taking of woulues p'vided that they make them so conuenient as they can & free from damage as they can."

"Itt was likewise ordered y^t If any p'sons or p'son shall kill any woulues within the spase of one yeare next they shall haue 40s. for euery wolfe within the time exprest."

THE NORTH LINE.

Sometime before this, the inhabitants of Strawberry Bank, being desirous of enlarging their territory, presented a petition to the General Court, for a grant of certain lands. The court consented, Oct. 14, 1651, and granted to them all the lands — Squamscott Patent excepted—lying between themselves and Hampton, which had not previously been granted either to towns or persons. It then became important to know exactly how far north Hampton actually extended. The settlement of this question had indeed engaged the attention of the General Court at an earlier date, and at their session in the spring of this year, they had appointed four commissioners for this purpose, any three of whom were empowered to act. The persons appointed were Mr. Samuel Winslow, Mr. William Paine, Mr. Samuel Hall, and Mr. Thomas Bradbury.

The commissioners determined that the north line of Hampton should run from a point five miles north from the Meeting-house, on an east line to the sea; and from the same point with the westerly line till it comes within two miles of the Meeting-house—where it then stood—in Exeter. They made their return accordingly, and the General Court approved it May 26, 1652, provided that it did not trench on any former grant. The return bears the signatures of all the commissioners except Mr. Paine.

But these proceedings did not set the matter at rest—perhaps in consequence of the line not having been fully and satisfactorily run

out, agreeably to the return made to the General Court. The people of Hampton found, or at least believed, that encroachments upon their rights had been made in that part of their territory. That they might learn the facts, the town sent Serg^t William Eastow and John Sanborn, in January, 1654, to view the upland and meadows "about the Little River on this side Strawberry Bank bounds," and to ascertain as far as possible, who were the proprietors and possessors of land there, and of what validity their titles were, and also to learn the design of those who had settled on the town's land, and to report accordingly.

At another meeting, on the 27th of February, the town chose Sergt. William Eastow and Thomas Coleman, as their agents, empowering them to go the next day, to the northernmost part of the town towards Strawberry Bank, and forbid any person or persons whom they might find there, from intermeddling with the property or the rights of the town, near and within the boundary line, as determined by the commissioners, and, in part at least, marked out. Measures were also adopted, for having the whole of this line, and also that next to Exeter, run out, so that each of them might be exactly determined and known throughout.

The next fall, the question in dispute was again brought before the General Court, by a petition, dated October 18, from the town of Portsmouth—a name recently substituted for Strawberry Bank.¹ In answer to this petition, the court sent out another committee, with authority to examine the matters in difference between the towns of Portsmouth and Hampton, as touching the line between them, and to settle the same in such a way as might be judged by them most meet, upon a full hearing of the parties, and to make return of their doings to the next Court of Election. The committee consisted of Mr. Joseph Jewett, Mr. Thomas Bradbury and John Saunders, the first of whom was authorized to appoint the time and place of the hearing.

INDIAN ALARM.

In the spring of 1653, it was rumored that some thousands of Indians were collected near the Piscataqua, in consequence of which, the people in all this vicinity were very much affrighted, so that their minds were distracted and diverted from their various employments. To quiet them, Major General Dennison ordered out from Ipswich, Rowley and Newbury, a party of men, to ascertain whether there was

¹When this change of name was made, May 18, 1653, the General Court declared "that the lyne of there township should reach from the Sea by Hampton lyne to Wiliacout River leaving the p^roprietors to their just rights & interests."

any just cause for alarm. The men sent out were engaged in this service from Friday morning till Monday evening of the following week. The alarm seems soon to have subsided.

THE OLD BURYING-GROUND.

The first notice of a cemetery, found on our Records, is a memorandum of an order of the selectmen, made January 26, 1654. From this it appears that a lot for the purpose of burial had already been laid out ten rods square, and consequently containing five-eighths of an acre. "The selectmen"—for so the record reads—"taking into consideration the commendable decency of enclosing in the place appointed by the town for burial:" and thinking themselves sustained in their views by "the word of God and the practice of Christian nations," ordered and agreed that this lot should be enclosed with a substantial five-rail fence, before the end of the following May. The posts were to be of white oak, of sufficient length and thickness, and the rails, which were not to exceed twelve feet in length, to be well jointed into them.

This place of burial, afterward enlarged, was in the eastern part of the Meeting-house Green—the Old Burying Ground of the present day—and continued to be used as a place of burial about a century and a half. The ground still remains enclosed, but the earliest monuments which affection erected here at the graves of friends have all crumbled to dust, or, having fallen to the ground, lie hid beneath the surface. Within a few years, was a rude stone, marking the grave of Susanna, the wife of Robert Smith, who was "Slaine by y^e thunder," June 12, 1680; but that has now disappeared. Here, too, repose the remains of five ministers of the gospel, who labored many years as pastors or teachers of the first church, all of whom died in office before the close of the last century. The graves of Dalton and the two Cottons—father and son—though the place of them is not unknown, are marked by no monuments; at those of Gookin and Thayer, slabs of slate were erected by the town, which still remain in good condition.

LIEUT. ROBERT PIKE.

In the year 1658, the General Court passed an act, to restrain unfit persons from preaching the gospel. This law was occasioned by gross irregularities, as they were then regarded, in the conduct of two men, living in that part of Salisbury, which is now the town of Amesbury, who were accustomed to exhort the people on the Sabbath, in the absence of a minister. Many of the people disliked this law, regarding it as arbitrary and far too severe in its provisions. Among these was

Lient. Robert Pike, of Salisbury, who did not conceal his views, but spoke with some severity of the magistrates and deputies, by whom it had been made. The language used by him was regarded as a slander upon the court, and Lieutenant Pike was not only heavily fined, but also disfranchised, and put under bonds for good behavior. Petitions, numerously signed, were sent to the General Court, not only from Salisbury, but also from Newbury, Haverhill, Andover and Hampton, praying that the fine and punishment might be remitted.

The court, so far from granting the prayer of the petitioners, considered them highly censurable; and, in the language of the record, did "deeply resent, that so many persons, of several towns, conditions and relations, should combine together to present such an unjust and unreasonable request," since Lieutenant Pike had been fully proved guilty of defaming the court, and charging the members with a breach of oath. "In this extraordinary case," commissioners were appointed, to call together the petitioners in the several towns, and "require a reason of their unjust request, and how they came to be induced to sign the said petition."

At the next session of the General Court, in 1654, Capt. Thomas Wiggin, the commissioner for Hampton, reported that the petitioners from this town—more than thirty in number—had, with two exceptions, acknowledged their offence and humbly asked the court to pass it by. Christopher Hussey and John Sanborn, having refused to give any satisfactory answer, were put under bonds of £10 each, to keep the peace. In relation to these proceedings, Joshua Coffin justly remarks: "The whole case is a very instructive one. It exhibits, on the one hand, the watchful jealousy of the people in consequence of any supposed, or real, encroachment on their civil or ecclesiastical rights; and, on the other hand, the determination of the magistrates not to have their authority lightly called in question."

At a town meeting in the spring of 1654, Richard Swaine, William Marston, Sen., and Thomas Ward were chosen, to consider and determine some method of estimating the value of lands for taxation, that would make the taxes more equal and satisfactory for the future, than they had been in former years.

HAIL STORM.

A very remarkable storm of thunder and hail occurred on the 9th of June, 1654. So great was its violence, that in some parts of the town, "where the strength of the storm went, it sheared the leaves, twigs and fruits from the trees, and beat down the corn, so battering and bruising them, as if men had beaten them down with threshing

instruments, the hail lying to admiration for the multitude thereof, so that in some places, it remained after the storm was over, twelve inches in thickness above the ground, and was not all dissolved, two days after the storm." In several places in the town, hail stones fell of wonderful size, and many were found by actual measurement, "to be three or four inches in length."

January 28, 1655, Samuel Dalton was chosen Clerk of the Writs. The election, in this instance, was made by the town. This officer was sometimes, perhaps usually, appointed by the General Court or the County Court.

In the earlier part of our history, when the town made choice of selectmen, it had been the uniform practice, as far as is known, to elect seven persons, except in a single instance. It was now voted that the board should consist of only five, a number sufficiently large, it would seem, though in a few instances at a later period, seven were again elected. About a century and a quarter after this date, the number was reduced to three.

The town asked the General Court, through Henry Dow, their deputy, to be allowed to hold a *market* here one day in every week. The court granted their request and appointed Thursday as the market day, on account of its being the day of their stated weekly lecture, when many of the people were accustomed to assemble at the Meeting-house. Hence it is probable, that the market was held on the Meeting-house Green.

CULLER OF STAVES.

In the early part of this year, Thomas Philbrick, Sen., was chosen *culler of staves*. This was then an office of considerable importance, for great quantities of staves were taken by the town in payment of taxes assessed upon the inhabitants, and these must all pass through the hands of the culler. Persons might, of course, at any time, make staves from timber taken from their own land; but timber for this purpose might also be taken from the commons, under certain regulations, as those adopted in November, 1652, already noticed. In May, 1655, all persons were forbidden to fell any trees on the commons, for bolts or staves, unless they had been licensed by the selectmen, who were authorized to grant license to such persons only, as were able to show that there was timber due to them.

The next year, liberty was given to any inhabitant to make 500 staves for each share of commonage owned by him; but the staves must all be made before the 29th day of September, following.

“ DRY CATTLE.”

Measures were likewise adopted at that time, to enforce a regulation made some time before, concerning the dry cattle owned in the town. Goodman [Godfrey] Dearborn, Anthony Taylor, Morris Hobbs and Henry Dow, jr., were appointed, to see that they were placed under the care of the keeper provided by the town. If any persons, after due notice from the committee, should be found neglecting to drive their cattle of this description to the place where the keeper was to receive them, they would subject themselves to a fine of 6d. a head for all the cattle which they should thus fail to drive. That this order of the town might not be evaded, through any negligence on the part of the committee, they, too, were made liable to a fine of 2s. each, for any failure in the performance of their duty.

WITCHCRAFT.

At the time when our History begins and for a long time afterward, a belief in WITCHCRAFT was prevalent in England and Scotland, and in most of the countries of Continental Europe. This belief was not confined to the unlettered and ignorant; but it pervaded all ranks and all conditions of society from the lowest upward to the highest. The people of New England, too, possessing as they did, in an eminent degree, some of the noblest traits of character, were still strongly tinctured with credulity; not more so, indeed—probably far less so—than the people of the mother country. They had broken loose from some of the shackles with which minds in the old world were still held in bondage; but it would be unreasonable to expect of them an immediate and a full emancipation from all the superstitions that had been instilled into their minds in the nursery, and had been nourished and strengthened by the influences that surrounded them as they grew up to manhood. They had, as might have been expected, imbibed the opinions, and they participated in the feelings of the age, in regard to witchcraft. But few of them, probably, had ever heard the soundness of those opinions called in question.

Eminently good men—jurists, statesmen and divines—in this country, deemed it little short of heresy, to doubt the truth of the marvellous deeds, ascribed to the power of witchcraft; and men of the same classes in high standing, in England, sympathized with them. Dr. Cotton Mather, of Boston, wrote and published an account of a person “arrested by a stupendous witchcraft” who was for some time an inmate of his own family, and concerning whom, he related many wonderful things, said to have been witnessed by himself and others.

The ministers of Boston and of Charlestown afterward gave their testimony in support of the truth of the narrative. This work was reprinted in London, with a Preface, written by Rev. Richard Baxter. In this Preface, he says: "This great instance comes with such convincing evidence, that he must be a very obdurate Sadducee, that will not believe it."

The fact that an individual in that age was accused of witchcraft, is not, of itself, conclusive evidence of his being a person of immoral character; much less, of his being in league with Satan. In some instances, this charge was made against persons of the highest respectability. In general, however, it was otherwise; and there was usually in the character or conduct of those suspected, some fault, on which the suspicion was based.

In some cases, the immorality of their lives was notorious; in others, an injudicious act, or even a hasty remark, may have awakened suspicion. Having, it may be, received some slight affront, they became angry, and in the heat of passion, threatened the offender with some calamity to his person, or property. If the individual thus threatened soon afterward met with any loss, or other misfortune, the threat was called to mind, suspicions of witchcraft excited, and an accusation brought against the one who had uttered the threat. The charge readily gained credence, and people wondered they had been so slow in detecting the witch. Other persons, calling to mind some remarkable occurrences, for which they had been unable to account, traced them back in their imaginations to satanic agency, exerted through the same individual, now stigmatized as a witch.

The testimony of persons of respectable standing in society may be received as to facts that came under their own observation, although their opinions in relation to the causes of the events may be entirely erroneous, or even absurd, unless there is reason for believing that their opinions or their prejudices are such, as to lead them to view the occurrences through a false medium.

In this view of the case, it must be conceded that there were some wonderful occurrences in New England, in the seventeenth century. They were then almost universally attributed to *witchcraft*. That delusion has passed away, so that only here and there can a person be found, who believes in the existence of witches, possessed of such power as was formerly ascribed to them. It is, however, by no means certain, that an equally erroneous belief has not prevailed, and does not still prevail, in regard to some events that are really mysterious to us.

The good people of Hampton were not exempt from the credulity

of the times. They were, in general, unfaltering in their belief in the existence of witchcraft, both in the abstract, and as found among themselves. To its influence, they were accustomed to ascribe the occurrence of any untoward events, which appeared marvellous to them through their ignorance of the causes that produced them. It is a dark page in the history of the town, but it is the business of a historian to relate events as they occurred and not to suppress important facts through fear of marring the otherwise fair character of the people, whose history he undertakes to write. Fidelity, then, requires the statement, that more than one person among this people was suspected, and, however innocent, made to bear the odium, of being in league with the devil. In several cases, prosecutions were commenced, and, in a few instances, punishment was inflicted by stripes and imprisonment. The people could tell "of manie marvellous and trulie unaccountable things" which, they verily believed, proved that there was "an invisible hand at work" among them.

GOODY COLE.

The largest share of this odium fell upon Eunice Cole, more generally known as Goody Cole. Strange stories were told of wonderful feats, said to have been performed by her, some of which have come down to us by tradition, and others, in depositions taken at the time and still preserved.

Such was the reputation of Goody Cole, that she was both hated and feared. That she did not possess such traits of character as were suited to gain the affection and good will of her neighbors, may readily be believed. She may even have been, as she was said to be, ill-natured and ugly, artful and aggravating, malicious and revengeful. But this does not tell the whole story of what was charged upon her. It was confidently believed that she had "made a league with the devil," and that by his aid she was able to render persons deformed, to torture, and even to drown them with "an invisible hand," and that she was actually guilty of performing all these misdeeds.

In the year 1656, she was arraigned before the County Court of Norfolk, charged with the crime of witchcraft. The testimony of a considerable number of witnesses was offered in support of the charge, and a verdict was rendered against her. The evidence in the case goes to establish the fact, that Goody Cole was neither loved nor respected by her neighbors, and that she was not, perhaps, entitled to their love nor respect; but on a calm review of the case, it seems difficult to understand how the court or the jury could, from the testimony introduced, pronounce her guilty of the crime alleged.

We cannot better portray the absurd infatuation of this widespread belief in witchcraft than by bringing forward some of the testimony in this case of Goody Cole. We are the more inclined to do this at some length, since tradition and poetry have made hers a representative case. Whittier's poem, "The Wreck of Rivermouth," has given occasion for much curious questioning on the subject. It is the privilege of the poet, however, to weave a thread of fact into a web of subtle fancies; while it would be unpardonable in the historian, so to connect the loss of the vessel, with its human freight, which occurred in 1657,¹ with Goody Cole, thrown into prison in 1656, and "Father Bachiler," returned to England in 1654 or 5.

Goody Marston, and Susanna, the wife of Christopher Palmer, deposed, "that goodwife Cole said that she was sure there was a witch in the towne, and she knew where hee dwelt & who they are;" also that thirteen years before, she had known one "bewitched as goodwife Marston's child was" and that this person "was changed from a man to an ape, as goody Marston's child was."

Thomas Philbrick testified that she [Goody Cole] had said if his calves should eat any of her grass "she wished it might poyesen them or choke them;" and he further testified that he never saw one of his calves afterward, "and the other calfe came home and died aboute a weeke after."

Sobriety, the wife of Henry Moulton, and goodwife Sleeper, the wife of Thomas, deposed that while "talking about goodwife Cole & goodwife Marston's childe," they on a sudden "heard something scrape against the boards of the windowe," which "scrapeing," after they had been out "and looked aboute and could see nothing," and had gone into the house again, and begun "to talke the same talke againe," was repeated, and "was so loude that if a dogg or a catt had done it" they "should have scene the markes in the boards;" but none were to be seen.

Abraham Drake deposed in court, on the 4th of September, 1656, that "aboute this time twelve month my neighbor Coles lost a Cowe, and wen we had found it, I and others brought the cowe home to his house & hee & shee desired mee to flea this cowe, and presantly after she charged mee with killing her cowe, and said they should know hee had killed hir cowe, for the just hand of God was uppon my cattell, and forthwith I lost two cattell, and the latter end of somer I lost one cowe more."

Goody Cole was adjudged to be guilty, and was sentenced to re-

ceive, as she afterward expressed it, "a double punishment," viz. : to be whipped and then imprisoned during her natural life, or until released by the court.

In this unhappy plight we leave poor Goody Cole for the present, but she will cross our path again.

TREATMENT OF QUAKERS.

About this time, there was not a little excitement in the colony, occasioned by the arrival, from England, of several Quakers. This was then a new sect, having sprung up only a few years before. Unfavorable accounts of their doctrines and their doings had crossed the ocean before them, and the people of Massachusetts, having left their native land mainly that they might live where they would be unmolested in the enjoyment of their religion, believed that the preservation of their own rights imperiously demanded that they should exclude the Quakers from their territory. The means used for this purpose cannot be approved. They were neither judicious nor just. Admitting that some of the principles and practices of the Quakers were subversive of good government, as at that time they undoubtedly were, the measures adopted to restrain them, were too rigorous, and not sufficiently discriminating. Some of the Quakers would, it is most likely, have demeaned themselves as quiet and orderly people. Had any shown themselves otherwise, they might have been punished as severely as justice required, and the punishment could not have been regarded as a persecution.

The first Quakers that came to New England were two female preachers, who arrived at Boston in July, 1656, bringing with them a considerable number of their books. At first, they were not permitted to land, but their books were taken from them and burned in the market place.

The women were then taken on shore and thrown into prison, and not long after, sent back to England. Others, who arrived the next month, met with similar treatment.

Thus far there had been no law authorizing such proceedings. As soon, however, as the General Court met, a law was prepared and speedily passed, and then published by beat of drum, October 21, seven days from the commencement of the session. This law was a very stringent one, prohibiting masters of vessels from bringing any of the sect within their jurisdiction, under heavy penalties; and subjecting every Quaker arriving here from foreign parts, to imprisonment, stripes and hard labor, and requiring him to leave the country as soon as practicable. The law also prohibited the importation of Quaker books

or writings, and even made the person with whom, or in whose house, any such books or writings should be found, liable to a fine of £5 for each book or writing, so found.

The preamble to this law is in these words :

"Whereas there is a cursed sect of haereticks lately risen vp in the world, w^{ch} are commonly called Quakers, who take vpon them to be immediately sent of God and infallibly asisted by the spirit to speak & write blasphemous opinions, despising gouernment & the order of God in church & comonwealth, speaking euill of dignities, reproaching and revjling magistrates and ministers, seeking to turn the people from the faith & gaine proseljtes to theire pernicious waies, this Court, taking into serious consideration, &c."

A prosecution was brought against William Marston, Sen., of this town, at the County Court held here, and he was fined £15 "for keeping two Quaker books and a paper of the Quakers."

He afterward sent a petition to the General Court, praying for the remission of his fine, and, as the record states, "leaving himself at y^e Court's mercy," acknowledging he hath transgrest y^e law of y^e Countrie." The court remitted one-third of the fine, on condition that the other two-thirds should be paid forthwith.

Other extreme measures followed successively the order of 1656, as cutting off the ears, boring the tongue with a hot iron and banishment on pain of death. As time went on, and still the supposed heresy spread, the maddened government devised new tortures. In December, 1662, the following order was issued by Capt. Richard Waldron, of Dover, and was wholly in accord with the law of the land :

"To the Constables of Dover, Hampton, Salisbury, Newbury, Howley, Ipswich, Windham, Linn, Boston, Roxbury, Dedham, and until these vagabond Quakers are out of this jurisdiction :

You and every of you are required in the King's Majesty's name to take these vagabond Quakers, Anna Colman, Mary Tompkins and Alice Ambrose, and make them fast to the cart's tail, and drawing the cart through your several towns, to whip them upon their naked backs not exceeding ten stripes apiece on each of them in each town, and so convey them from Constable to Constable till they are out of this jurisdiction, as you will answer it at your peril, and this shall be your warrant."¹

We bow our heads in shame, while we read : "In Dover, Hampton and Salisbury this disgraceful order was executed." Let us believe that hearts cried out against the outrage, though hands, unused to

¹Prov. Pap., 1: 243.

resist authority, failed to rescue the victims. It is written that, in Salisbury, "*Waller Barefoot* performed almost the only praiseworthy act that stands to his credit in history, by taking these persecuted females from the Constables, under pretence of delivering them to the Constables of Newbury, and securing them from further cruelty by sending them out of the Province."

Scarcely thirty-five years after this, "The Friends' Quarterly Meeting" was established in that part of Hampton now Seabrook, and in 1701, they built their meeting house.¹

"THE WRECK OF RIVERMOUTH."

In the autumn of 1657, an event occurred, which brought mourning and sorrow into several families in the town and cast a gloom over the whole community. A vessel sailed from our river, October 20, bound to Boston, having on board four men, two women and two children—eight persons in all—belonging to Hampton. From some cause not now known, the vessel, soon after leaving the harbor, either foundered, or was capsized, and all on board perished. The persons lost were these: Robert Reed, Serg^t. William Swaine, Emanuel Hilliard, John Philbrick, his wife Ann, and their daughter Sarah, Alice, the wife of Moses Cox, and John Cox their son, and as is supposed, their only child.

The entry is thus quaintly made on the town records:

"The sad hand of God upon eight psons goeing in a vessell by sea from Hampton to boston, who were all swallowed up in the ocean soon after they were out of the Harbour."

¹Chap. XXI.

CHAPTER III.

TOWN AFFAIRS, 1658-1680—PUBLIC LANDS—PUBLIC HOUSES—AND A TROUBLESOME PUBLIC CHARGE.

SECOND REVIEW OF OLD GRANTS.

ABOUT twenty years after the settlement of the town, it was thought expedient, to have all the grants made during those years carefully examined, and properly recorded. For this purpose, on the 26th of September, 1658, the town appointed Roger Shaw, Henry Dow, Sen., and John Sanborn, together with Samuel Dalton, the town clerk, and made it their duty "to examine all grants and appointments of lands, highways, and such like, and to perfect the same in the new Town-Book." For making the record, the town clerk was to receive sixpence for each grant or parcel, and half as much for transcribing for the Recorder, at the request of any grantee or owner.

In the following winter, the committee attended to the business assigned them. But in the course of their investigations, they met with instances of persons claiming land, of which they could find no grant on record, and this caused them not a little embarrassment. The town therefore voted, that, in such cases, the claimants should produce two or more witnesses to prove their grants; and that the committee should then cause a record to be made of such grants as, in their opinion, were valid.

At the same meeting on the 9th of February, it was also voted, that the committee, with the town clerk, should have further power given them by the town, to appoint, lay out, and record convenient highways to men's lands in the town, and to allow satisfaction to the proprietors according to their discretion, which satisfaction was to be made with portions of the town's land. The committee were also required to have all the shares of the common recorded; and as this would occasion considerable labor to the town clerk, the other members were authorized "to adjudge what satisfaction" he should receive, his pay to be taken out of the next town rate.

The committee appear to have performed with great fidelity the duties required of them, and as the result of their labors, a large number of grants of land, returns of highways, and shares of commonage

were entered upon the records. Henry Dow, one of the committee, died before the investigation was completed, and, on the 9th of March, 1660, William Fuller was chosen to fill the vacancy.

SNOW STORM IN MAY.

Dr. Belknap mentions, in his History of New Hampshire, on the authority of a letter from Rev. Nathaniel Gookin, of North Hampton, to Rev. Thomas Prince, of Boston, a very sudden and remarkable change in the weather, which, according to his statement, occurred in 1658, when the apple trees were in blossom. The change of temperature was so sudden, and the cold became so severe, that of the crew of a fishing boat, belonging to this town, "one man died before they could reach the shore, another was so chilled, that he died in a few days, and a third lost his feet." We find no notice of this event on the town records; but they do inform us, that, on "the thirtieth of April, 1659, there was a great storm of snow, which lay upon the ground three or four inches thick upon May-day in the morning, and continued, some of it, till it was ten o'clock, or thereabouts." This date is given in Old Style, so that the storm was on the 10th of May, according to the present method of reckoning;—a time, when, if it was a forward spring, the apple trees might have been in blossom. Might not, then, the occurrence related by Dr. Belknap have happened one year later than he supposed? That there should be an error of *one year*, in the date, is not improbable, for it should be borne in mind, that the letter on which he based his statement was written more than a century after the occurrence, and the writer probably had no knowledge of it except from tradition.

The following vote, passed by the town, December 20, 1660, shows a willingness that the laws to which they were subject should be known. It also shows the care that was taken of the books containing the laws.

"Liberty is Granted to those y^t have the keeping of the Law Bookes y^t they shall lend them to their neighbors for about a fortnight att one time, who are to Returne them to those y^t have the keeping of them & nott to lend them from man to man whereby they may come to damage."

On the 1st of January, 1661, the town established a rule to be observed in the taxation of *unmarried men*, who had no estates on which taxes could be assessed, for defraying the expenses to which the town was liable. Each man was to be estimated as an estate of £20 in the assessment of taxes—whether town, or ministerial, except in cases where the selectmen, for good reasons, should think it expedient to assess a smaller sum.

It has already been shown, that the regular and usual method of admitting inhabitants was by vote of the town. From the first, this power was exercised as a protection from imposition and injury. Still, there was need of constant and untiring vigilance, to prevent persons acquiring the rights and privileges of inhabitants without permission thus granted; for by a colonial law, of 1645, any person who had lived in any town of the colony for the space of one full year should be accounted an inhabitant of that town. It was probably on account of this or some similar law, that the people of Hampton at this time made a regulation, that if any inhabitant of the town should receive into, or keep in his family, any inmate, without the consent of the town, he should forfeit to the town's use ten shillings a week.

But what occasion there was for the following vote, passed at the same meeting, it is not easy to conceive. The record of it is in these words:—

“It is ordered y^t if any p^rson shall discharge a Gunn in the Meeting House, or in any other House, without the leave of the owner, or Householder, Hee or they shall forfitt five shillings, unless the p^rson so offending doth peaceably make satisfaction; nor shall any p^rson, Ride or lead a Horse into the meeting House under the like penalty.”

At the town meeting last named, liberty was given to any and all inhabitants who chose, to break up planting ground on the commons, and to have the profits for ten years, on certain conditions. The land must lie three miles, at least, from the meeting house, and those who should undertake to cultivate any portion of it must give security to the satisfaction of the selectmen for the time being, that at the end of the ten years, they would, at a seasonable time in the year, sow it down with English hay seed, two bushels, at least, of good merchantable seed upon each acre of ground so cultivated, which was thenceforth to lie common forever.

At a meeting, March 11, 1662, the town, as an act of justice to the owners of the meadows, or marshes, over which the causeway passed, gave them permission to set up gates across it in convenient places on both sides of the meadows, to prevent cattle from feeding or trampling upon them. The town also voted, that after the erection of such gates, no persons should put any cattle upon these meadows between the first of April and the first of October, under the penalty of being accounted as trespassers and dealt with accordingly. Nathaniel Boulter alone dissented.

Permission was also granted for gates, to protect the common field that had been enclosed in the east part of the town; one, near John Redman's—probably on the sea road, not far from the site of the east

schoolhouse—to prevent cattle from entering the field from above; and another, at the bridge near the beach, as security against the cattle pastured upon the Great Ox-Common. These gates were to be kept up, and no cattle left within the enclosure from the beginning of April, till after the 10th day of October annually.

In the autumn following, the constable, Henry Roby, was fined ten shillings for neglect of duty, in “warning a meeting and not attending to forward the work”—the whole fine to be exacted, unless he should give a satisfactory reason for his absence, in which case one-half of it would be remitted. He also lost his office, and William Fifield was chosen constable in his place.

In December, the question, Who are to be considered inhabitants of the town? was answered by the following vote: “It is acted & ordered thatt Hence forth no man shall bee Judged an Inhabitant in this towne nor haue power or liberty to act in towne affaires or haue priviledg of Comonedg Either sweepedg or feedage butt hee thatt hath one share of Comonedg att least according to the first deuission and land to build upon.”

At a town meeting, on the 9th of March, 1663, an allowance of 40s. was made to Samuel Dalton, the town clerk, for keeping the town records and recording the “Towne actes” during the year preceding. What his compensation had been in former years is not known.

RIGHTS IN THE COW-COMMONS.

At the same meeting, it was voted that the cow commons should be cleared of mares and colts, and that no person should put any cattle upon the commons, unless he owned some right in them. Persons having a right, might, if they chose, pasture one horse there instead of two cows. Thomas Marston and Nathaniel Batchelder were chosen to see this order executed. Persons owning no right in the commons, who should put any beasts there to be pastured, in violation of this order, were made liable to a fine, even for the first offence. If the committee just chosen should neglect their duty, they were to forfeit 10s. apiece.

At this meeting, too, about seventeen years after what has usually, though rather improperly, been termed the *division* of the cow common, two persons—one of whom was John Sanborn, and the other not known, his name being obliterated from the records—were chosen to join with Samuel Dalton, the town clerk, to ascertain by whom the shares of the common were then claimed, and to whom they really belonged; and as eleven shares had formerly been reserved by the town, to be disposed of afterward, they were also to ascertain how many of

these had since been disposed of, and to whom. All claimants of shares were required to make known to the committee within two weeks, what shares they claimed, and any neglecting to do so, would subject themselves to a fine of 20s. each. The committee were also required, after having made a thorough investigation, and having found to whom the shares legally belonged, to cause a record thereof to be made. The constable was empowered and ordered to take by distress all forfeitures arising under this order, and to give an account thereof to the town, with the assurance that he should "have satisfaction for his paines."

Two weeks afterward, the committee presented their report, which was accepted and placed upon record, as follows :

OWNERS OF THE SHARES IN THE COW COMMON, MARCH 28, 1668,
and how their titles were derived from the original owners.

Origⁱ rights

Bo ^t of W ^m Howard	Robert Page 3 shares — one of which given to John Clifford.
W ^m Moulton	John Brown 1 share, bought of Tho ^s Sleeper.
The wid. Bristow	John Brown—1 share.
John Moulton	Henry Moulton 1 share—by the last will of <i>his father</i> John Moulton.
W ^m Howard	W ^m Godfrey — 2 shares bought of W ^m Howard.
W ^m Cole	Tho ^s Webster one share, bought of W ^m Cole.
Walter Ropper	Thomas Marston one share (of three which he bought of Rob ^t Knight.)
W ^m Eastow	Thomas Marston one share by the last will of W ^m Eastow.
Walter Ropper	W ^m Marston Jun two shares bought of Tho ^s Marston.
Henry Green	Abraham Perkins one share, bought of Henry Green.
Henry Ambrose	W ^m Fuller 2 shares (of three which he bought of Henry Ambrose.)
Henry Ambrose	Anthony Stanyan 1 share, bought of W ^m Fuller.
James Davis Sen ^r	Anthony Stanyan 3 shares, bought of James Davis Sen ^r .
Philemon Dalton	Samuel Dalton 3 shares, as <i>sole heir</i> to Philemon Dalton deceased.
The Almes Lot	Samuel Fogg, 1 share bought of John Redman.
Isaac Perkins	Samuel Fogg, 1 share bought of Henry Roby.
Rev. S. Batchelder	Nathaniel Batchelder 1 share bought of John Sanborn.
Stephen Sanborn	Nathaniel Batchelder 1 share bought of Stephen Sanborn.
Tho ^s Moulton	Mr. Dalton or his Relict, 3 shares bought of Tho ^s Moulton <i>late of Hampton</i> .
Rev. S. Batchelder	Tho ^s Philbrick Sen ^r one share bought of W ^m Sanborn —before that John Sanborn's.
W ^m English	John Casse two shares bought of W ^m English.

Sam ^l Getchell	Tho ^s Dearborn one share bought of Mr. Rishworth & Thomas Leader.
Tho ^s Sleeper	Henry Dow one share bought of Thomas Sleeper.
Henry Dow Sen ^r	Henry Dow one share, by the last will of his father Henry Dow Sen ^r .
W ^m Eastow	Morris Hobbs two shares, by the last will of W ^m Eastow.
Henry Green	John Marlon one share bought of Henry Green.
Edw. Colcord by right from Tho. Jones	Thomas Chase one share bought of Edward Colcord.
Aquila Chase	Thomas Chase, one share bought of Aquila Chase.
Francis Peabody	Robert Drake 3 shares bought of Francis Peabody.
Ed. Colcord right of T. Jones	Robert Drake 1 share bought of Edward Colcord, as appears folio 41.
W ^m Howard	John Clifford, one share given him by Rob ^t Page (one of those that Page bo ^t of Howard).
Henry Sayward	John Philbrick, late of Hampton, one share bought of Henry Sayward.
Francis Swaine	Thomas Philbrick Jun ^r — one share bought of Henry Green.
Francis Swaine	Nath ^l Weare, one share given him by Francis Swaine & confirmed by Martha Leveredge, his executrix.
Tho ^s Chase	Robert Smith, one share bought of John Garland.
[Francis Swaine]	Nath ^l Weare one share more given him by Francis Swaine and confirmed by the wife of Caleb Leveredge as above.
Richard Swaine	Benjamin Swett—2 shares, bought of Richard Swaine.
Richard Swaine	Nathaniel Weare — one share, bought of Richard Swaine.
W ^m English	Jasper Blake—one share, bought of Thomas Ward.
Mr. [T.] Dalton	John Knowles — 2 shares bought of Emanuel Hilliard — by Giles Fuller.
Henry Dow	Thomas Nudd— one share bought of Henry Dow Sen ^r .
2 of the 3 shares to "The Almshouse"	John Redman—2 shares granted to the lot given to him by the Town.
W ^m Marston Sen ^r	John Marston—3 shares bought of W ^m Marston Sen ^r .
W ^m Marston Sen ^r	Henry Dearborn—one of the above shares—bought of John Marston.
W ^m Marston Sen ^r	Abraham Cole—one share bought of Tho ^s Philbrick, who bought it of John Marston.
	Francis Page—one share.
	Daniel Dow—one share bought of Nath ^l Boulter.

CAPT. THOMAS WIGGIN.

Squamscott Patent included the territory which now forms the town of Stratham. On this territory lived Capt. Thomas Wiggin, one of the magistrates of Massachusetts and, for many years a judge of the courts at Salisbury and Hampton, at Dover and York. Living upon

his farm, which lay not within the limits of *any town*, he was not liable to taxation till his case was made a subject of special legislation. It was then ordered by the General Court, that the dwelling-house of Capt. Wiggin, together with the lands and other property pertaining thereto, should belong to the town of Hampton, and be assessed by the selectmen thereof, in all rates, according to law, any custom or usage to the contrary notwithstanding; and that for the time past in which he had paid no taxes, he should now allow the sum of five pounds only, and pay the same into the public treasury. This connection with Hampton continued about thirty-five years, from May, 1657, to November 28, 1692, when it was transferred to Exeter.

Capt. Wiggin appears, by this act, to have been subjected to the same liabilities in regard to taxation, as if his property and his own residence had been within the limits of the town. Several years afterward, some changes were made, in practice at least, if not by law. The town voted to free him from paying for his farm such rates as were made for particular town charges, and for the house bought for the use of the minister; but he was still to pay for his farm and stock all rates made for the minister's maintenance, and all country and county rates, as formerly. Hence it may be inferred, that his connection with the town was regarded as temporary rather than permanent, and on this account he was not required to pay any taxes, whose benefits would be in the future only.

In the spring of 1663, the town, in accordance with the reserved right to order both the sweepage and feedage of the several commons, voted that, for the present year, three cows, or one horse and one cow, might be pastured on the cow common, for each share.

The selectmen having appointed William Fuller, John Sanborn and John Redman to take notice of any breaches of the regulation about the making of staves, the town confirmed the appointment, gave the men appointed discretionary power to remit fines and to determine how many staves any man might make; also imposed a fine of ten shillings for each tree felled for staves without permission of the committee.

At the same meeting, Thomas Parker, shoemaker, was granted liberty to come into the town to follow his trade, though, for some unknown reason, nine prominent citizens entered their dissent.

THE NEW PLANTATION.

About this time, a new enterprise of considerable magnitude was undertaken. The western portion of the township being still unsettled, on the 9th of June, 1663, it was ordered and agreed, that a tract of

land in that part should be surveyed and laid out, to contain several thousand acres,¹ if the persons sent to examine it should consider it expedient. The men appointed for this purpose were John Sanborn, Thomas Marston, Christopher Palmer, John Redman, Abraham Drake, William Sanborn, and Morris Hobbs. If these men, after viewing the land, should decide to lay it out, they were instructed to begin at the western boundary, and extend their survey eastward, taking the full breadth of the town, till the number of acres designated should be included. This tract was to be laid out to the lawful inhabitants, according to the town's will and pleasure. Anthony Stanyan alone voted in the negative.

The committee appear to have attended to the duty assigned them immediately, so far as related to viewing the tract, and to have reported favorably. At another town meeting a week later, Capt. Christopher Hussey, Dea. Robert Page, John Sanborn, John Redman, and the town clerk [Samuel Dalton], instead of the former committee, were appointed to lay out the land. They were directed "to consider of a way of division, and make return to the town, *in the evening after training*, to which time" the meeting was then adjourned. At that time, date not given, the report, read, approved and adopted, was as follows :

"Concerning the matter committed to us, we judge it meet that the land be divided into two divisions ; the first division to be one hundred acres to every inhabitant that hath two shares of commonage, or upwards, and those that have but one share, to have each eighty acres ; and what meadows should be found, to be [divided] according to each man's right, in proportion with the [rest]."

The survey and division of this land appear to have occupied about three months, for a little more than that length of time had elapsed when, on the 23d of September, the result was laid before the town. The lots were then drawn for by those inhabitants entitled to them — Dea. Robert Page having been chosen to draw for persons absent and not represented. This tract was usually styled THE NEW PLANTATION, though sometimes designated as "the land laid out by the pond in our township." The pond here mentioned is Kingston pond, and a considerable portion of this tract of land fell within the limits of Kingston, when, thirty years later, that town was incorporated. This gave rise to several lawsuits, which will be noticed in another chapter.

¹The leaf of the Records on which this order was entered, is somewhat mutilated, but the quantity of land named *appears to be four thousand acres*, yet the quantity actually laid out must have been much larger.

SUIT AGAINST NATHANIEL BOULTER.

At this time, the town determined to commence suits at law against persons who had trespassed upon the commons, either in mowing the meadows, or felling timber, or in any other way, in all cases where legal proof could be obtained. Thomas Marston and William Fifield were chosen to act as attorneys for the town, in such suits. They were particularly instructed to bring a suit or suits against Nathaniel Boulter, at the next court to be holden at Hampton.

In what manner he had trespassed does not appear. The case seems to have gone in his favor, for a few months afterward, February 4, 1664, the town voted to have it reviewed at the next court to be holden at Salisbury; and William Fifield and John Redman were then appointed to act as agents for the town in the prosecution. Subsequently, the entire management of the case was committed to the latter. Before the trial came on, however, the town agreed, that Boulter should have, in addition to the house lot formerly granted to him, one of the eleven reserved shares of the cow-common.

From a statement made to the county court at Salisbury in 1675, by Henry Dow, the town's attorney in another suit with Boulter, then pending, it appears that *this* suit was settled in 1666. In the other case, the town denied that Boulter had any just claims, yet for the sake of peace, and to end all differences then existing, or that ever had existed between the parties, consented to an agreement by which a considerable tract of land was conveyed to Boulter.

An unusually large amount of business was transacted at the town meeting on the 23d of September, 1668. Several important votes have already been mentioned. An order was also made that the *Great Ox-Common* should be fenced with a sufficient four-rail fence, from the bridge near the beach to the pond near Great Boar's Head. The other portions of this common, bordering on the river and ocean, were sufficiently protected without being fenced.

Permission was given to William Fifield "to run his fence right over the island by his meadow at the Little River, provided he did not enclose above half an acre of upland to his own use." The island here mentioned is now known as Fifield's island, an elevated tract containing about sixteen acres and lying in the midst of the salt-marsh, on the southerly side of Little river.

This *marsh* was formerly a *fresh meadow*,¹ as is evident from the large number of stumps and roots of trees still—or till recently—

¹ The land between Little River and the Beach "toth the little Boares-head," in an entry on the Town Records, under date of 30: 5 mo; 1640, is called "freshm^d."

found there. The river ran along southerly, inside of the beach, and, as some suppose, at an early period united with Nilus brook, a tributary of Winnacunnet or Hampton river. At the time of the settlement of the town it flowed into the ocean at *Plaice Cove*. Afterward a more direct passage having been opened through the sand, the tide flowed in, and the fresh-meadow was gradually converted into salt-marsh.

After the drawing of lots for the land laid out at the New Plantation, the town ordered that the *dry-cattle* should be kept there the next summer, in charge of herdsmen to be hired by the selectmen then in office. As that section of the township was then unsettled, the selectmen were instructed to build a house for the herdsmen, and a pen for their cattle, and to make such further provision as they might consider needful for their comfort and convenience. Near the close of the year, the town somewhat modified this arrangement. It was then voted that all the dry-cattle, *except oxen and young calves*, should be pastured there. The order was made for the whole town, and the inhabitants were strictly prohibited from allowing any cattle of this description to go upon the cow-common, under penalty of 2s. a head for all such cattle found there. For the rigid enforcement of this order, Thomas Marston, Thomas Philbrick, jr., and Henry Dow were chosen and instructed to clear the cow-common of dry cattle and to collect all fines arising from a violation of the foregoing order.

The milch-cows were, the next summer, to be pastured, as formerly, upon the cow-common towards Exeter.

The selectmen were directed to lay out for the use of the herdsmen for the next year, twenty acres of land, which, in the drawing of lots already mentioned, had fallen to John Knowles, but which he had now relinquished to the town in exchange for an equal quantity which he was allowed to choose out of the commons, in any place within three miles of the aforementioned pond. To the lot thus relinquished, the selectmen were allowed to add a "nooke" extending into the pond.

EUNICE COLE AGAIN.

William Salter, the keeper of the prison at Boston, brought a demand against the town for boarding *Eunice Cole* at the prison to which she had been sentenced by the court; and, to secure payment of the debt, he arrested Thomas Marston, one of the selectmen, July 14, 1664. Marston having laid the case before the town, the following votes were passed: "The towne doth order and agree thatt whatt remaines of old Cole's estate in the hands of the selectmen, according to

y^e order of the County Courtt, shall bee payd to Salter with as much speed as may bee." "Thatt the Rest y^e is due to him, y^e s^d Salter, shall by the selectmen be payd out of the fines y^e are due to the Towne from those that are delinquents in making staues upon the Comons contrary to the Town order, to make up the full some [sum] due to the s^d Salter."

In order that these proceedings may be the better understood, it is necessary to give a brief account of some previous transactions.

While Eunice Cole was lying in prison after her trial for witchcraft in 1656, her husband, William Cole, on the third of November, 1659, sent a petition to the General Court, in which he represented that he had, on some former occasion, made over his estate to his wife, "*to keep her from going away from him;*" that he was not able himself to perform the labor that was needful to gain a subsistence from this estate, and that, as he could not make payment from it to any persons whom he might wish to employ to assist him, he had sometimes come near perishing, and had been obliged to call upon the town for aid, which had been furnished; but that the town could recover nothing for the assistance rendered, without having recourse to a lawsuit. He therefore prayed the court to provide some relief in the case.

The petition having been considered, the court ordered: "That the town of Hampton should take into their possession all the estate belonging to the said Cole, or his wife—as was pretended—and out of said estate, or otherwise, as they should see cause, supply the said Cole's and his wife's necessities during their lives, and afterward account for what should remain unspent—if anything—after being paid for their trouble."

The town, in compliance with this order of the General Court, had taken possession of Cole's estate, and in consequence had become liable for his own and his wife's maintenance, though she was still a prisoner in Boston. In 1662, Goody Cole herself prayed the court for release, pleading pathetically her own age and weakness, and the infirmities of her husband, "being 88 yeeres of Age," and needing the care which none but his wife could render. Petitions were also presented by the inhabitants of Hampton and the keeper of the prison, and the court ordered that she pay "what is due on arrears" to the keeper, and "depart wthin one month after her release, out of this jurisdiction, & not to returne againe on poenalty of hir former sentenc being executed against hir." At the time of Marston's arrest by Salter, William Cole was dead. The town continued to maintain his widow at the prison several years afterward at an expense of eight pounds a year.

In the latter part of the spring of 1665, another petition from Goody Cole was presented to the General Court, praying that she might be released from prison. The court ordered that she might have her liberty upon her security to depart from, and abide out of, their jurisdiction, according to the former order of the court. She, however, still remained in prison, unwilling, perhaps, to leave the colony, and probably unable to give the security required.

BOUNTIES FOR NEW SETTLEMENTS.

After the lapse of a quarter of a century from the first settlement of the town, the population was still confined to the part of the territory lying near the seacoast; but now there was on the part of many of the inhabitants a desire that other portions should be occupied. When the New Plantation had been laid out a little more than a year, the town, for the purpose of procuring its immediate settlement, agreed upon a measure that seemed likely, to some extent at least, to effect an object so desirable. As an inducement for persons to settle there, it was voted, November 24, 1664, that any who would give in their names to the selectmen should be allowed to take up twenty acres of land to a man, for house lots, on condition that they would make use of their lots for this purpose, within twelve months. Soon afterwards (December 9), permission was given to such of the inhabitants as had land granted to them in the township near Great pond, to take up ten acres each in Ashing swamp, between Ass brook and the township, which should be laid out at the discretion of the lot-layers, and should be accounted as so much of the land granted to them.

The plan, however, did not prove successful, and a few years afterwards it was thought expedient to offer other and greater inducements. It was then voted, that those inhabitants of the town, who would give in their names at a meeting to be holden for that purpose, and agree to improve land at the New Plantation, by building upon it and fencing it, should be allowed to take up forty acres apiece, to begin at the northern part of the western boundary, next to Exeter, and have their lots laid thence homeward towards the town, provided that none of them should extend more than three-quarters of a mile eastward of Ass brook. This was April 14, 1669.

Twelve men accepted the terms, and the town voted that lots should be laid out for them in two divisions. These twelve men were :

William Sanborn,
 Samuel Fogg,
 John Moulton,
 William Marston,
 Henry Moulton,
 Anthony Taylor,

Abraham Perkins, Sen.
 Nathaniel Batchelder,
 Morris Hobbs,
 John Smith (the cooper),
 Robert Smith,
 Thomas Marston.

More than three years earlier the town had voted to give William Marston, Sen., one hundred acres of land, to be laid out as near the Great pond in the western part of the township as might conveniently be done, provided he should build upon it and settle some person there during the next year. As Goodman Marston was at that time far advanced in life, being about seventy-five years of age, it was not probably expected that he would settle there himself.

At the same meeting, Ens. John Sanborn, Samuel Dalton and Abraham Drake were appointed as measurers of land, to lay out, or, it may be, to complete the laying out of the land granted as a Second Division in 1663, or later. They were ordered to lay it out by the end of May following, so arranging the lots as to allow each person to have his full proportion in one body so far as practicable.

COMMISSIONERS FOR SMALL CAUSES.

The General Court, in the spring session of 1665, in consideration of the trouble and expense to which the people of the county of Norfolk were subjected, by reason of their remoteness from any magistrates, ordered that Capt. Robert Pike, of Salisbury, and Mr. Samuel Dalton, of Hampton—or either of them—should be “empowered as commissioners to take the acknowledgment of deeds; to administer oaths in all civil cases; to issue warrants to search for stolen goods; to take notice of and punish defects in watching; to punish for drunkenness, excessive drinking, and such like crimes of an inferior nature, according to law; to bind over offenders to the county court; to solemnize marriages to persons duly published; and all this during the court’s pleasure.”

Before that year closed, Moses Cox and Alexander Denham were engaged for the next year as keepers of the dry cattle in the pasture “about the Great Pond.”

It was ordered that no cattle but milk cows and working oxen should be put upon any part of the cow common on the north side of Taylor’s river, and that no inhabitant on the north side should keep any cattle on the commons on the south side, on any pretext whatsoever.

The town had previously ordered, as already related, that the Great Ox-Common should be enclosed with a sufficient fence. The question was now raised (May 12, 1666), What should be considered a sufficient fence? and it was determined that the main river and the branch called John Brown’s river should be accounted a sufficient fence about the common from the mouth of the river, and so westward up to the branch just named; thence up this branch on the north and northeast side of the common to the fence that goes over the beach

near the Great pond—now called Beach pond—on the north side of the Great Boar's Head.

LOCKE'S NECK.

In the last chapter it was stated that the town sent a committee to the northeast part of its territory between Little river and the town of Portsmouth, to ascertain what encroachments had been made upon the town's land, and to prevent, if possible, any further encroachment. Twelve years had now passed, and these border difficulties still continued; for, in 1666, *John Locke*, who afterward fell a victim to Indian barbarity, had settled without permission upon the town's land at Jocelyn's Neck—afterward called Locke's Neck—very near the boundary line between Hampton and Portsmouth; and he may have supposed himself within the limits of the latter town. Here he had built his house and enclosed a piece of ground, and hither he had brought his family, with intent to stay. The town, therefore, at the meeting on the 12th of May, directed Thomas Marston and Morris Hobbs to go to Jocelyn's Neck and demolish the fence Locke had built, and to order him to meddle no further with the town's property in that vicinity.

What reception Goodman Locke gave this committee is not stated. Nothing further concerning him or his possessions is found on record till nearly two years afterward, when, on the 9th of March, 1668, he made known to the town his desire to be received as an inhabitant. The town acceded to his request and the Lockes came to be among the leading citizens.

DANIEL TILTON, BLACKSMITH.

In the summer of 1667, Daniel Tilton asked liberty of the town "to sit down" here as a smith, engaging to do the town's work "upon as good terms as any other man that doth use that trade in these parts, and that for the term of four years." The town voted to receive him, and granted him four acres of land adjoining the farm of Joseph Shaw. The conditions of the grant were that the said Daniel Tilton should have liberty to improve it, or dispose of it to any other smith "that the town could have no just exception against." And if any other smith should come and settle in the town within the term of four years, and succeed in drawing away the custom from Tilton, then the latter should be at liberty to dispose of his land to the town, or, on the town's refusal, to any purchaser that he could find.

Tilton accepted these conditions, and the four acres of land were laid out, having Joseph Shaw's farm on the northwest and the country

way on the southeast, the lot being ten rods wide at the northeast end, and twenty-two rods at the southwest end, and forty rods in length (the Akerman place on Hampton Falls hill).

COMMITTEE OF SURVEY.

February 12, 1669, Thomas Marston, Abraham Drake and Joseph Dow were instructed by the town, to run the line from the *north tree* [five miles north of the meeting-house in Hampton,] westward through the woods to the line of Exeter—two miles distant from the Meeting-house in that town,—and thence along the Exeter line to the bound tree standing where the road crosses Ass brook. This survey was to be made in accordance with an order of the court. The work was to be done sometime in the month of March; but it seems not to have been completed at that time, for late in the following autumn, a part of the same survey was entrusted to Marston and Drake of the former committee, together with Peter Johnson. They were required to run the line from the north tree to Exeter, and also to measure from the causeway bridge according to the court's order and grant in 1652. By the causeway bridge is probably meant a bridge near the beach not far from the easterly end of the road now called the causeway, though no reference to it in any court order of so early a date has been found. At a later period, the boundary line at Jocelyn's Neck was declared to be five miles from this bridge, to be measured along the road, or path, near the beach.

There had been a controversy between this town and Portsmouth concerning the boundary line at Jocelyn's Neck. The case was brought before the county court at Salisbury, April 12, 1669, for adjudication. Ens. John Sanborn was chosen to manage it as agent in behalf of this town, and was instructed to procure such assistance as he might judge necessary.

An action brought by the selectmen against Henry Green, was pending in the county court, but at this time the town declared the case "nott yett Ripe for a Tryall."

ORDINARIES, OR PUBLIC HOUSES.

An ordinary was an Inn, or Public House for the accommodation of travelers, with lodgings and refreshments at established prices. The first ordinary in Hampton was opened at a very early period, by Robert Tuck, in accordance with the expressed wish of the town. His house was on the corner at the junction of the two roads, near Rand's hill, about forty rods northwest from the site of the first Meeting-houses. He continued to keep an ordinary there till he had occasion to visit

England about the year 1654. It then became necessary for some other person to engage in the business. The town having made choice of, or at least, authorized Anthony Taylor to open an ordinary, though he lived on the border of the settlement, about two miles from the Meeting-house, the county court approved the choice and allowed him "to sell wine and strong water."

Goodman Tuck remained abroad about one year. After his return, he was invited by the town to reopen his ordinary for the accommodation of travelers. He consented, and soon after resumed business, having received, as he said, "greatt Incoridgement to sett it up againe." Indeed, he reopened his house *immediately*, without waiting for the sitting of the county court to procure a renewal of his former license, not doubting that the existing ordinary would soon be closed. But at the next term of the court, he found himself in trouble. His license was indeed renewed, but he was fined £5, for violating the law by engaging in the business before its renewal, and was allowed a year in which to pay the fine. At the next session of the General Court, in May, 1658, he petitioned to have his fine remitted, as he had offended ignorantly, supposing that his former license had not become void. The Court remitted £3 of the fine, leaving enough of it to be paid to teach him the danger of violating the law, even through ignorance.

Goodman Tuck continued to keep the ordinary till his death, which occurred in the autumn of 1664; when it was found difficult for his family to go on with the business, as his son who had come to America with him, had died several years before, and the grandson who was heir to the estate, was still in his minority. The house and land were soon after leased to Mr. Henry Deering, of Salisbury. On motion of Mr. John Sanborn, made in town meeting about a year after Tuck's death, the town admitted Mr. Deering as an inhabitant, and voted their approval of him as a suitable person to keep the ordinary.

By request of the town, the court had, several months before, licensed Mr. Deering "to sell wine & strong waters by retaille." His license was renewed for each of the two following years, but about six months after the second renewal, he was invited by the selectmen of Portsmouth to keep the ordinary for that town. The court approved, and granted him license. This seems to indicate that he was held in good repute.

At a town meeting held early in the fall of 1667, Mr. Anthony Stanyan was chosen to keep an ordinary, and to "make conuenientt p'vision [provision] for the Courtt & Juries att y^e next County Courtt to be held att Hampton, & to p'uid [provide] for corters & strangers as the law directs." At this term of the court, Mr. Stanyan was ap-

proved, and licensed. His license was renewed the next year, but during his second year he failed to give entire satisfaction; and at the term of the court held at Salisbury in the spring of 1669, complaint was made, with the following result: "Anthony Stanian being p^resented by y^e grand Jurie for not haueing accomodation for horses, & other conveniences according to law: The p^resentm^t being p^roud [proved] y^e Court judges y^t hee shall pay fve shillings as a fine, & costs; & in case of non paym^t of y^e fine & costs; then to appear at Hampton Court next to answer for his nonappearance at this p^resent Court."

At the next term of the court, October 12, Henry Roby was allowed to keep an ordinary in the town; and the court licensed him "to sell beere & wine & strong waters by retaile & y^e s^d Roby doth binde himself in y^e sum of 40 lb, on condition not to suffer any townsmen, men's children & servants to lie tipling in his house. This bond is owned by Hen: Roby in open court."

Mr. Roby kept the ordinary about ten years, his license being renewed from year to year. Still there was some dissatisfaction, for after about five years, he was presented at a court held in Hampton "for not keeping things convenient for enterteinjng strangers either for horse or man w^{ch} causeth strangers to complayne." "Upon y^e s^d Robie's p^romiseng amendm^t y^e Court thinks good to discharge the p^resentm^t he paijng [paying] fees of y^e Court."

At the court held at Salisbury in the spring of 1674, permission was given for opening another ordinary in the town, as is shown by the record: "John Souter of Hampton haueing had y^e consent of y^e selectmen to keep an ordinary, this court doth allow of him to keepe an house of entertajnm^t for y^e yeare ensuing; p^rvided y^t hee sell no wine or strong waters to bee drunke in his house or yards or out houses, to any of y^e Inhabitants of y^e s^d towne, either directly or indirectly." One year later, John Souter was allowed to continue his house of entertainment another year, "according to y^e condiçons mentioned in his first license."

At a court held at Hampton, October 8, 1678, the selectmen of Hampton having asked that Samuel Sherburne, "who hath bought y^e living at Hampton, wher old goodman Tuck lived & kept ordinary, for a house of entertainm^t may have a license to keep a publike house of entertainm^t for horse & man or travellers, [the court] Doe grant the same wth this p^rviso, that he attend all y^e laws relating to Inn-keepers, & wth speed may bee provided of an house there that may bee sutable to entertaine y^e Court & strangers."

Though ordinaries, or public houses, were required by law to be kept in every town, and though they were essential to the convenience and

comfort of travelers, yet they were liable to abuse. We have no means of knowing what reputation the ordinaries kept in this town before the close of the seventeenth century, sustained. But in some of the ordinaries in the colony, certain practices were allowed, which by many persons were esteemed disreputable and disorderly. These practices attracted the attention of the magistrates and deputies, and were made a subject of legislation. The following act, passed in 1651, may serve as a specimen :

“Whereas it is observed that there are many Abuses and disorders by dancing in ordynaryes, whether mixt or unmixt, upon marriage of some persons; This Court doth order, that henceforward there shall be no dancing upon such occasion, or at other times, in ordinaries, upon the paine or penaltie of five shillings for every person that shall so dance in ordinaries.”

THE FIRST NORTH DIVISION.

Near the beginning of the year 1670, preliminary measures were adopted for laying out a considerable portion of land, afterward known as The First North Division, embracing all that part of the township lying beyond a line four miles north of the Meeting-house and parallel with the northern boundary of the town. This tract was consequently one mile in breadth, and extended from Exeter to the sea. The town voted, February 22, that it should be laid out and divided according to the shares of the common. The lots were to be numbered, beginning on the west at the line of Exeter—two miles from the Meeting-house in that town—and proceeding downward to the sea.

As the number of shares in the cow common was one hundred forty-seven, it might be supposed that this tract would be laid out into an equal number of lots; but that was not the case. In many instances, two or more shares of the common belonged to the same person, so that, in fact, the number of *owners* was only seventy-seven; and as it appeared desirable, that the whole of each man's share of this land should be in one lot, it was agreed that the tract should be divided into just as many lots as there were owners of the common; and that the lots—all being of the same length—should vary in width in proportion to the owner's rights in the common severally. It was therefore necessary, that the lots should be drawn for *by number*, before they were actually laid out; and then it would not be difficult to determine the width of the successive lots, as they were numbered. Some portions of this land were, undoubtedly, far more valuable than others, but in this instance no regard was had to its quality. Before drawing for the lots, it was agreed that they should be taken by the proprietors just as their respective lots should happen to fall.

Ens. John Sanborn, Nathaniel Weare and Peter Johnson were chosen to survey and lay out this Division.

But it is far easier *to resolve* than *to do*. The land, here ordered to be laid out, remained unsurveyed during nearly a whole generation. Twenty-four years after this vote, another was passed explanatory of the former, and it was then ordered that the division should be laid out under the direction of those originally chosen for the purpose, except that Peter Johnson being dead, another was chosen in his place. But six years more passed away before the work was completed, and the result placed upon record.

THE NEW PLANTATION LAID OUT ANEW.

It has been shown,¹ that in 1663, the town adopted such measures, and made such arrangements for laying out, and disposing of, the land at the New Plantation, in the western part of the township, no further action on the subject seemed to be needed. But from offers afterward made by the town to those who would settle there, and from the repetition of those offers, or rather from still more favorable offers of a later date, it seems to have been difficult to induce people to settle so far back in the woods. From whatever cause this may have happened, the result appears to have been, that the whole tract remained unsettled, and the shares drawn by individuals, probably reverted to the town; for now, after an interval of about six years, the town undertook to lay out this land anew.

It was determined that it should be laid out in four Divisions, the *first* abutting upon Salisbury, and the *last* upon Exeter, the numbering of the lots to begin at the former town. It was further ordered, that the lots should be 160 rods—that is half a mile—in length, and proportioned to the several grants, in width—regard being had in laying them out, both to the quantity and the quality of the land. As there would be the length of two lots—one mile,—in each Division, and the number of Divisions was limited to *four*, the extent of all of them would be only four miles—a distance considerably less than the breadth of the town between Salisbury and Exeter. It was therefore agreed that all the land not included in the four Divisions, should be left in ranges of common between them. The extent of the tract from the western boundary towards the town was not limited to a certain number of rods, or miles; but it was not to come “nearer the towne than y^e little pond y^e is att y^e Head of y^e falls on y^e southwest of o^r Pastor’s farme”—that is, the pond from which the Falls river flows.

This action was taken by the same town-meeting that created the First North Division.

¹ p. 64.

In May, 1670, the town again petitioned the General Court, in relation to the causeway between the Town and the Falls, representing that for twenty-six years they had been at great expense in making and maintaining this road, passing for more than a hundred rods across a washy marsh; that it had proved to be a constant as well as heavy burden, and withal exceedingly discouraging, since the fruits of much labor and expense had in some instances been suddenly destroyed — once, soon after they had laid out £20 upon it. They stated that they had never received “any support from the Country, but only £5 the first year that the said causeway was made.” They now asked for relief from the public treasury, which, however, was not granted; but it was left to the court of the county of Norfolk, to determine whether “to lay it on the county, or leave it to the town,” as might be judged most equitable.

EXCLUSION OF PAUPERS.

By a vote of the town passed January 12, 1671, no person was allowed to receive into his family, as an inmate, any single person more than sixteen years of age, without the consent of the town. Every breach of this order would subject the offender to a fine of 10s. a week for the whole time any such person should be in his family, the fine to be collected by the constable, by distress. No person was permitted even to hire a servant from out of town, without giving security, that the town should not receive any damage thereby.

This regulation was made to avoid the support of paupers; for by a law of the colony, then in force, if a person not having a family, should be resident in any town in the colony, more than three months, without being formally notified of the town's unwillingness that he should remain, he should, if needy, be provided for and relieved by such town.

No particular reason is assigned for passing such a vote at this time, but one may be inferred, from another vote passed at the same meeting, in relation to one Christopher Gould, subjecting any person who should receive him into his family, to the fine specified in the former vote.

THE CITIZEN ON SQUAMSCOTT PATENT.

The same day, the town granted to Mr. Andrew Wiggin, at his own request, liberty to take forty pines from the common on the north-west side of Ass brook, at a place where one James Kidd had, on some former occasion, hauled out logs¹. This Mr. Wiggin was a son

¹James Kidd appears to have been regarded as a trespasser, and Mr. Anthony Stanlan and William Sanborn were appointed by the town to compel him to pay for the timber he had taken from the town's land.

of Capt. Thomas Wiggin, heretofore mentioned as a magistrate residing on Squamscott Patent. The son lived there also, and paid taxes to Hampton as his father had done. He, therefore, might perhaps justly be considered as entitled to some favor from the town.

The part of the common whence these logs had been taken is now included within the limits of Exeter. It had hitherto been considered as a part of Hampton, and it evidently belonged to this town according to several acts of the General Court, in which the boundaries of the two towns were described. But not long after this a controversy arose concerning a considerable tract of land near the borders of these towns, in which this portion was probably included. Of this controversy and its result, some account will be given farther on.

HORSES WINTERED ON THE MARSHES.

Another vote, of the same date as the last, was substantially as follows:

The town being sensible of the great damage that is done in the marshes and meadows, by persons letting their horses and other cattle run at large in the winter time, going over fences, creeks and rivers, to the haystacks, do therefore order, that from the first of November till the last of March, from year to year, every person shall take care of his cattle to prevent damage of this kind, as far as may be; and that, if any cattle be found at the haystacks standing in the meadows or marshes, within the time mentioned, their owners shall forfeit 12d. a head for every beast so found, and it shall be lawful to impound such cattle, and to take the penalty named, and all just damage to the person damaged.

The object aimed at, by this vote, was not fully attained, for about five years afterward, the vote was in substance renewed, showing that occasion for the regulation still existed. Indeed, the practice alluded to, of letting cattle — and particularly, horses — run at large during the winter season, was continued for a long series of years. In the summer, the horses were usually pastured, where they could be found and taken at any time, when wanted—generally for carrying their owners, or others, to mill or to market, and, on the Sabbath, to meeting. In the winter, they were suffered to roam upon the beach, and the marshes and meadows, and other grounds in the vicinity, getting their living as best they could, by cropping the tall beach grass, or grazing upon the rowen on the marshes and meadows, where the tides kept the ground free from snow,—oftentimes, no doubt, when the creeks were frozen over, venturing far out into the marshes, and making depredations upon the haystacks.

Possibly a few aged persons now living can remember when this custom still lingered here, for it had not wholly ceased at the commencement of the present century. Some, who have died within the last twenty or thirty years, used to give humorous descriptions of the appearance of the horses thus wintered. The poor beasts, exposed to storms and the cold, were enabled to endure the inclemency of the weather, by a kind provision of nature, causing their hair to grow thick and long, which, though unused to the curry-comb or brush, seldom, when dry, became tangled or matted, but stood out, as if under the influence of the electric fluid, giving them the appearance of being plump. They were so in appearance only, however, and when the hair was wet with rain or snow, or from their own perspiration, their real condition was readily seen. Most of them were, in fact, of an inferior breed, and, being thus kept, or rather left to take care of themselves, before the return of spring they almost invariably became lean and lank, and withal exceeding shy, so that feeding together in droves, when any person went near them, they would throw up their heads with a snort, and start off with all the speed of which they were capable, appearing like so many moving skeletons.

"The first of April, 1671, a great storm of driving snow came out of the northwest and drove up into drifts about 6 feet deep as appeared by those that measured the banks of snow, and for the space of 14 days [after] it was a sad time of rain, not one whole fair day in fourteen, and much damage done to mills and in other ways by the floods that followed."

The above date is in Old Style, so that the storm was on the 11th of April, as we now reckon time.

LAST DAYS OF GOODY COLE.

Sometime previous to the year 1671, Eunice Cole had been released from the prison at Boston, where she had been detained a prisoner ever since the result of her trial for witchcraft, which was commenced in 1656, had been finally settled by the Court of Assistants. She had now returned to Hampton and was probably living in a small house near the foot of Rand's hill, on the northeasterly side of the road. As the town had a few years before, by order of the General Court, taken possession of her husband's estate, it is most likely that the house occupied by her had been provided by the town, as that was the source whence she derived her support.

Now, in 1671, the town ordered that the inhabitants should take their turns, in the order in which they dwelt, in providing for her by

the week, and that any person whose proportion in the rate [that had been made for her support] amounted to less than four shillings, should join with his next neighbor, for this purpose. They were to provide her with suitable food and fuel, and each one having the care of her, was required to notify his next neighbor to make provision for her the following week. This course was adopted by the town, in order to lighten the burden of the selectmen and constable.

But the poor creature's life seemed destined to turbulence to the end; for in October, 1672, she was again arraigned on the old charge of witchcraft—in appearing under various forms, as a woman, a dog, an eagle and a cat, to entice a young girl, named Ann Smith, to live with her. The grand jury found a bill against her, and in April, 1673, the Salisbury Court ordered her once more to Boston jail to await further trial. After a few months, the following remarkable decision finally disposed of the case, and Gooly Cole passed the remnant of her unhappy days in Hampton.

“In y^e case of Unis Cole now prisoner att y^e Bar not Legally guilty according to Inditement butt just ground of vehement suspissyon of her haueing had famillyarryty with the denill

Jonas Clarke in the name
of the rest.”

LINE BETWEEN HAMPTON AND EXETER.

• Abraham Drake, Peter Johnson, James Philbrick and Joseph Dow were appointed, February 9, 1671, to run the line between this town and Exeter, from Ass brook to the extent of ten miles westerly according to the court's order, and to mark it out with bound marks according to law; and they were instructed to enter upon this work four days from that date, or as soon afterward as the weather would permit.

The ten miles here mentioned, should not be reckoned from the starting point named, but from a bound about one mile and three-fourths from it, in a direction two or three points south of west, which bound is referred to in the following extract from the report of a committee appointed by the General Court to survey and determine the bounds of Exeter. The report was signed by Samuel Dalton and Richard Waldron, and approved by the court at the session which commenced April 29, 1668: “From the foot of Exeter falls by the present Grist Mill, a mile and a half due south to Hampton Bound, & from that south point to run upon a west and by north line Ten miles into the woods adjoining to Hampton Bounds.”

DEBATABLE GROUND.

At this time, or a little earlier, there was a lawsuit between Mr. Samuel Dudley, of Exeter, and John Garland, of Hampton, concerning a tract of meadow, which the latter claimed, by virtue of a grant from the town of Hampton, but which the former claimed, as belonging to Exeter. The case was tried in the county court; and an appeal was taken to the Court of Assistants. Before the time for trial, John Garland died, and the town took up the case, appointing Nathaniel Weare as its agent, to defend the grant to the heirs of the grantee. It was virtually a controversy between the two towns.

On the 25th of April, 1672, the freemen of Hampton, desiring to compromise, chose Capt. Christopher Hussey, Ens. John Sanborn, and Mr. Samuel Dalton, not only to treat with Mr. Dudley and Mr. Gilman in regard to this suit, but, provided the town of Exeter would give these two men like powers, to settle the whole question of border disputes.

No satisfactory settlement having been reached on the 10th of May, Henry Roby was appointed attorney for Hampton, to manage the case at law, which was to be transferred to the General Court at the next session. Mr. Seaborn Cotton and Samuel Dalton were appointed, to give him all the assistance possible, either at Hampton or Boston, as the case might require.

The very next day, however, an agreement was effected, the committee for Hampton covenanting with Mr. Dudley and Mr. Gilman, that they should have sixty acres of land in Hampton, adjoining to Exeter, lying eastward of the foot-path—an old Indian path—leading to Salisbury, to be laid out by Lieut. Ralph Hall, of Exeter and Mr. Samuel Dalton, of Hampton; provided, however, that if they should alienate it, Hampton men should have the refusal of it, “paying as any other chapman would do.” Minor difficulties were satisfactorily adjusted, and the land was laid out on the 24th of June following.

HAMPTON AND PORTSMOUTH BOUNDS.

In the Records of the General Court of Massachusetts, is found the following entry, dated May 15, 1672: “In answer to the motion of the Deputy of Portsmouth, the Court judgeth it meet to order that the Bounds between Portsmouth and Hampton as to their Townships be determined & settled; & that Mr. Elias Stileman [of Portsmouth], John Gilman, of Exeter, & Mr. Samuel Dalton, of Hampton, attend this service, & make Return of what they shall determine, to this Court.”

THE FIRST INDIAN WAR.

The first general war with the Indians, in New England,—usually styled “King Philip’s War,”—began in 1675, and continued about three years—an account of which may be found in Chapter XIII.

A new Meeting-house was built this year—the third in order, about which more will be stated in its appropriate place.

June 30, John Smith, the cooper, was chosen to fill a vacancy in the board of selectmen, occasioned by the sudden death of John Cass, a few weeks before. At the same time, Lieut. Benjamin Swett was chosen as a commissioner, to add to the selectmen for making the country rate.

JOHN HUGGINS’ SUIT.

A little previous to this time, the town had prosecuted John Huggins for felling timber, and fencing in land belonging to the town, and appropriating said land to his own use, without any authority from the town, by gift, grant or sale; and had recovered damages. Afterward, Nathaniel Boulter, as attorney for John Huggins, had brought an action against the town for recovering the land in question. The case was tried at the Salisbury Court, April, 1675, and decided in favor of the plaintiff, giving him the land in controversy, with costs of court. From this decision, the town appealed to the Court of Assistants to be held at Boston, the next September.

Henry Dow, attorney for the town, assigned reasons for the appeal:—That the town conceived their title to the land to be good, as it had been confirmed to the town by the General Court in 1658, and had been set apart as a common forever: That it had been proved by the testimony of John Sanborn, Henry Green and Morris Hobbs, that Huggins had felled timber there, and had fenced in, and builded upon the land, which was about a mile within the common: That it had been shown by the testimony of Anthony Stanyan and John Cass, that he had not only fenced in the land, but had also broken up some of it, thus appropriating it to his own use: That Huggins had been cautioned against meddling with the land.—As Huggins claimed the land by virtue of a conveyance from one Barret, of Wells, to Nathaniel Boulter, and from Boulter to himself, about the year 1660, the town’s attorney contended that such a conveyance could not be valid; and asked how Barret, “though he were ensign of Wells,” could sell this land to Boulter, seven years after the General Court had confirmed it to Hampton, as that town had not alienated it in the meantime.

The jury had stated that they founded their verdict on possession,

and that the town had owned that this land belonged to Huggins, as appeared from the return of Abraham Drake, the marshal. But the attorney for the town contended that Drake, "went aside his work in deputing the town's land to Huggins;" that he had been ordered to put Huggins in possession of a tract of land *within his fence*, but not the land in controversy, and that he might as well depute all the commons to him as this land; that, in fact, the land of which it had been proved before the jury, that he was in possession, was not the land in question, but another tract, known as the "Wall farm."

This appeal, however, was not prosecuted before the Court of Assistants, but was settled in the course of the summer.

The town appointed Henry Roby, Robert Smith and Morris Hobbs to treat with Nathaniel Boulter, attorney for Huggins, and agree with him about the payment of the execution; and also authorized Henry Dow, who was then marshal, to put John Huggins in possession of the land.

CULTURE AND USE OF TOBACCO.

About this time occurs the first intimation on the records of the town, of the use of *tobacco*, in any of its forms. From a vote passed by the town, February 14, 1676, it is evident that it was then used here in smoking—to what extent, is uncertain. It is equally uncertain whether the use of it was confined to smoking. The vote is thus recorded: "To p^rvent Danger by fire itt is ordered thatt if any p^rson shall take any tobacco, or Carrie any fire or make use of any fire in the new meeting House or the fort yard they shall forfitt ten shillings for Every such offence the one Halfe to the Informer & the other Halfe to the Towne."

At the next term of the county court at Hampton, beginning May 30, several persons were fined for taking tobacco near the Meeting house where the court was sitting. The record of the court is as follows: "Richard Scaman, Humphrey Wilson, Jun^r. Redman Jun., John Clark, John Hobbs, Philip Towle for takeing tobacco neare y^e meeting house in y^e face of y^e Court are find each of them ten shillings according to law."

At a somewhat early period—no record shows how early—the cultivation of the tobacco plant was commenced in this town, and for many years, probably during the whole of the eighteenth century, it was a common article of culture among the farmers, though none of them raised a large quantity. The processes of sowing and transplanting, and of keeping the ground free from weeds, were nearly the same in the raising of tobacco, as in raising the cabbage. Before the

first autumnal frosts, the tobacco plants were pulled and thrown together in heaps "to sweat." After sweating sufficiently, the plants—stalks and leaves together—were hung up in some open building to dry; or, sometimes, after the sweating, the leaves were picked off and then dried for use. In some cases, the leaves after becoming sufficiently dry, were "spun," or worked up into "twists," and the twists wound into rolls, when the article was ready for sale, or for use.

This was the kind of tobacco used here till a somewhat recent date; and the use of it, for a long time, was almost wholly confined to elderly people, the place of using it being by their own firesides, or at the houses of their neighbors, when on social visits; and the manner of using it, by smoking the pipe. This custom was more common among the women than among the men. But that tobacco was sometimes used in other places than the fireside, is evidently implied in the vote already stated.

At a town meeting the next summer, Abraham Perkins, Sen., Francis Page, Thomas Sleeper and Joseph Dow, were chosen to serve upon the Grand Jury, for the following year. This may at first view appear to be a large proportion of that body to be furnished by one town; but, in reality, it was not unduly large, as there were but six towns in the county of Norfolk, for which they were to act, and Hampton contained more than one-sixth part of the population.

At the same meeting, a police regulation was made, for the purpose of preventing damage by "violent and indiscreet riding in the town." It was ordered that if, after the publication of the regulation, any person should gallop through the town, or any street thereof, he should forfeit for every such offence, 2s. 6d., one-half to the town, and the other half to Anthony Taylor, who was appointed to carry the order into effect.

MORE WITCHES.

In July, 1680, a little child of John Godfrey died, and the old cry of *witchcraft* was raised again. An inquest was held, with twelve solid men of Hampton for jurors, and a verdict rendered: "We find grounds of suspicion that the said child was murdered by witchcraft."

Godfrey's wife and daughter, Sarah, deposed that Rachel Fuller came in with her face daubed with molasses, and sat down by Goody Godfrey, who had the sick child in her lap, and took his hand; when the mother, in fear, drew the hand away and wrapped it in her apron. Then Rachel Fuller "turned her about and smote the back of her hands together sundry times and spat in the fire." Then she strewed herbs on the hearth and sat down again and said: "Woman, the child will

be well;" and then went out, beat herself thrice with her arms, as men do in winter, to heat their hands, picked something off the ground, and went home. The next day, the children told their mother that Goody Fuller had said if they did lay *sweet bays* under the threshold, it would keep a witch from coming in. So they laid bays under the threshold of the back door all the way, and half way of the breadth of the fore door; and soon after, Rachel Fuller came about to the fore door, though she had always formerly come in at the back door, which is next her house; and she crowded in on that side where the bays lay not, and rubbed her back against the post so that she rubbed off her hat, and sat down and made ugly faces and nestled about and would have looked on the child, but not being allowed to do so, went out as she had come in, after having looked under the door where the bays lay; and she had not been in the house since.

John Godfrey, Nathaniel Smith and Hezron Leavitt made depositions, equally damaging.

Elizabeth Denham (wife of Alexander), deposed that Rachel Fuller told her "Witches did so go abroad at night, they did lay their husbands and children asleep;" and she said there were eight women and two men in the town, who were witches and wizards.

The men's names were not given, but the women Goody Fuller reckoned as witches were: Eunice Cole, Benjamin Evans' wife and two (?) daughters, Grace (Swaine) Boulter, Mary (Boulter) Prescott, Isabella (Austin) Towle, "and one that is now dead." Goody Towle was, in fact, arraigned about the same time, on a different charge, and both she and Rachel Fuller were committed to prison till the sitting of the Hampton Court, September 7. Then, "The Court having heard y^e case of Rachel fuller and Isabel Towle being apprehended and committed upon suspition of witchcraft doe ord^r y^t they still continue in prisson till bond be given for their good behaviour of £100 a piece during the Courts pleasure."

John Fuller became bondsman for his wife; and Isaac Marston and John Redman, for Goody Towle. They were discharged at the Dover Court the next year.

CHAPTER IV.

HAMPTON UNDER THE MASON AND MASSACHUSETTS CONTRO- VERSY. 1651-1677.

STATUS OF THE FOUR NEW HAMPSHIRE TOWNS.

HAMPTON, having been originally settled by a grant from the General Court of Massachusetts, was from the first under that government, and hence less liable to the fluctuating policy incident to independent and isolated settlements. Nearly all the first settlers, before coming here, had been living in Massachusetts—some, several years; others, only a few months—subject to, and protected by, her laws. Their removal to this place was merely a change of locality, not of government, nor of laws. The result was what might have been expected. In all their proceedings the people evinced a deference to the authority under which they acted, and to which they felt themselves amenable. If at any time an individual in the little community was aggrieved by acts either of other individuals, or of the town; if any persons had trespassed upon the town's property, or were charged with criminal acts; there were regularly constituted courts of judicature, to which recourse might be had for trial by disinterested persons, and where it might be hoped, strict justice would be awarded.

These advantages were not at first enjoyed by the other early settled towns in New Hampshire. The settlements at Dover and Little Harbor—the latter of which, being extended further up the Piscataqua river, subsequently received the name of Strawberry Bank, and at a still later day, of Portsmouth—were formed by persons sent from England for the purpose of fishing and trading. They were, in fact, independent communities, subject to no government, but such as originated among themselves, except so far as they were disposed to observe regulations made for them by the Company of Laconia, by whom they had been sent, but from whom they were separated by the broad Atlantic. They were, indeed, subject to the crown of England, but, situated as they were, they could experience but few of the benefits or the restraints of English laws.

The settlement at Exeter, like the one at Hampton, was largely formed by people who had been living in Massachusetts, and who

were influenced by *religious*, rather than by *mercenary*, motives. But here the resemblance ended, for while the people of Hampton were of the same religious sentiments as those of Massachusetts generally, and were countenanced and cared for by that government, some of the leading men of Exeter had been banished from Massachusetts, on the charge of heresy and sedition, or were in full sympathy with those who had been thus treated, and had settled at Exeter, because there they thought themselves out of the jurisdiction of that colony. Convinced of the necessity of civil government and wholesome laws, of which they declared themselves altogether destitute, they combined together on the fourth day of July, 1639, to erect among themselves such a form of government as their necessities required, solemnly binding themselves "by the grace and help of Christ, and in his name and fear," to submit to such godly and Christian laws as were established in the realm of England, to their best knowledge, and to all other such laws, as should, upon good grounds, be made and enacted among themselves, to the end that they might "live quietly and peaceably together in all godliness and honesty." Several men, who subsequently removed to Hampton, signed this "Combination."

After more than fifteen years' experience, the inhabitants of Dover and of Strawberry Bank were so fully convinced of the necessity of a more efficient government, that they entered into negotiations for a union with Massachusetts. The terms having at length been agreed upon, the union was consummated April 14, 1641.

The people of Exeter managed their affairs according to their original compact, till the autumn of 1642; but on the 8th of September of that year they also, at their own request, were received under the jurisdiction of Massachusetts.

Hampton and Exeter were both "joined to the jurisdiction of Ipswich," in the County of Essex—the latter at the time of its reception by Massachusetts, and the former on the second of June, 1641, when it was also authorized "to send a grand juryman once a year to Ipswich."

NORFOLK COUNTY AND COURTS.

In 1648, a new county was formed, called the county of Norfolk, comprehending all the towns between the rivers Merrimac and Piscataqua. These towns were then six in number, viz. : Salisbury, Haverhill, Hampton, Strawberry Bank, Dover and Exeter. Strawberry Bank and Dover, often called the Piscataqua settlements, were in many respects separate from, and independent of, this new county. They still continued to have to some extent, as before, a jurisdiction of

their own and courts for the trial of their own causes, when not exceeding £20 in value. From these courts there was the right of appeal at first to the Board of Assistants at Boston; but, at a later period, to the county courts of Norfolk.

The county courts were holden alternately at Salisbury and Hampton, and these two towns might, with propriety, be called half-shire towns, as there does not appear to have been any legislative act designating either of them as *the* shire town, in distinction from the other, till more than six years after the formation of the county, when *Salisbury* was declared to be the shire-town; but even after that time, the same arrangement was observed in holding the courts as before, and this continued till the county was broken up by four of the towns being severed from Massachusetts by royal authority, when the remaining towns were annexed to the county of Essex.

In each town in the county, an inferior court was held, competent to try all causes of twenty shillings value, or under. This was a court of record, and its clerk was styled Clerk of the Writs. This court appears not to have been different from the board of commissioners, previously existing in Hampton, and first appointed when the town was incorporated. Indeed, so nearly identical were the two, that there was no necessity for a reorganization of the existing board, or a reappointment of its members. Only a single change was made, William Eastow being appointed in place of John Cross, who had been in office two years.

The court, or board of commissioners, in 1648, after the appointment just mentioned, consisted of William Howard, James Davis and William Eastow. Whether a clerk of the writs was then appointed, or whether the duties of clerk were performed by one of the commissioners, as was the case at Exeter in 1645, is not known. Such a court or board was continued here till the separation of the New Hampshire towns from Massachusetts. The members, usually styled "Commissioners for small causes," were sometimes appointed by the General Court, and sometimes chosen by the town.

THE MASON CLAIM.

It has already been mentioned that the Council of Plymouth made certain grants to Sir Ferdinando Gorges and Capt. John Mason jointly, in 1622; and to Mason alone, in 1629. Both these grants included the territory embraced in Dover, Strawberry Bank, Exeter and Hampton. The two former places were settled under the auspices of Gorges, Mason, and their associates. Captain Mason appears to have acquired all the rights and interests of his associates

in this territory, and by virtue of the grant to him in 1629, he claimed the whole territory as his own. The two settlements made in 1628, and more especially that near the mouth of the Piscataqua, may have been under obligation to him, for the pecuniary and other substantial aid which he furnished; but it admits of doubt whether either Exeter or Hampton derived the least advantage from his interest in New Hampshire. Their settlement was not earlier nor their growth more rapid than if Captain Mason had never lived. On the contrary, these and the other towns were, for a long course of years, perplexed and embarrassed, and subjected to heavy expenses, in consequence of exorbitant claims set up by his heirs and their assigns.

Captain Mason died November 26, 1635; and by his will, after making several legacies, he gave to his grandson, John Tufston, the remainder of his estate in New Hampshire, requiring him to take the surname of Mason. He died in infancy; and his brother Robert, likewise called Mason, then became heir to the whole estate, subject, however, to such rights as belonged to Mrs. Anne Mason, the widow of Captain Mason, and executrix of his will. Robert Mason became of age in 1650.

Hampton was settled about three years after the death of Captain Mason; but neither from the executrix of his will nor from her agent was heard any note of remonstrance, although Massachusetts, by the very act of granting the place for settlement, virtually claimed the territory as her own, regardless of the claims of Mason's heirs. But when the towns on the Piscataqua came under the jurisdiction of Massachusetts, the heirs of Mason, or their agent, demurred a little; but, at that time, as has been well remarked, "the distractions caused by the civil wars in England, were invincible bars to any legal inquiry."¹

In 1651, Joseph Mason coming over as agent of the executrix and finding some of the lands claimed by her, occupied, brought actions against the occupants in the county court of Norfolk, whence they were referred to the General Court.

THE MASSACHUSETTS CLAIM.

There was certainly no want of inclination on the part of the authorities of Massachusetts, to find some pretext, at least, for retaining jurisdiction over the New Hampshire towns and territory. The charter was therefore "examined anew,"—as appears from record—concerning the north line of their jurisdiction; and on the last day of May, 1652, the General Court voted, "that the extent of this line was to

¹ Belknap, 1: 86.

be from the northernmost part of the River Merrimac, and three miles north of that place, wherever it might be found, be it one hundred miles, more or less, from the sea; and thence upon a straight line east and west to the sea."¹

Having given this construction to the charter, the General Court the next year ordered a survey to be made, that this line might be accurately determined. Accordingly, a committee was dispatched from that body, accompanied by two surveyors, and several Indian guides, in search of the most northern part of the Merrimac, which they were told by the Indians, was Aquedochtan, the outlet of Winnipiseogee lake. Having reached that point, they found by observation, its latitude to be $43^{\circ} 40' 12''$ north; and three miles added to this gave $43^{\circ} 48' 12''$, as their true limit. The next step was to find the same latitude on the coast, which was ascertained to be on the extreme north part of Upper Clapboard Island, in Casco bay. A line passing through these points and extended to the Pacific Ocean—in other words, the parallel of $43^{\circ} 48' 12''$, extended across the continent—they determined to be their northern boundary. We shall see, further on, the troubles to which Hampton in particular was subjected by this decision.

This proceeding of Massachusetts, and several subsequent acts, were exceedingly discouraging to Mrs. Mason's agent; and, as it appeared to him that it would be futile to make any further attempt at that time, to recover Mason's estate, he went back to England. There, the heirs of Mason had but little to hope for while Oliver Cromwell held the reins of government.

ROBERT MASON'S COMPLAINT.

At the restoration of Charles II to the throne of England, in 1660, Robert Mason preferred a petition to the king, in which he complained of "the encroachment of the Massachusetts Colony upon his lands, their making grants and giving titles to the inhabitants, thereby dispossessing him and keeping him out of his right;" and he prayed that his grievances might be redressed. The king referred the petition to the attorney-general for his opinion, who reported that "Robert Mason, grandson and heir to Captain John Mason, had a good and legal title to the Province of New Hampshire." It does not appear, however, that any measures were then taken to put Mason in possession of the lands which he claimed.

¹ Mass. Rec., IV: 98.

COMMISSIONERS APPOINTED.

But other complaints than those of Mason had reached the royal ear—disputes among some of the New England colonies about their boundaries and jurisdiction, and petitions and addresses, entreating him to interpose the royal authority to settle them. The king at length appointed commissioners to visit the several colonies, “examine and determine all complaints and appeals, in matters civil, military, and criminal; provide for the peace and security of the country, according to their good and sound discretion, and to such instructions as they should receive from the king, and to certify him of their proceedings.” This was in April, 1664.

In the southern colonies of New England the commissioners were treated with much respect; but in Massachusetts they were received with great coolness, since the *good and sound discretion* of the commissioners was placed above the laws, and in their proceedings they were to be governed by this alone, except so far as they might receive instructions from the king.

HAMPTON DISQUIETED.

About the time when the commissioners were expected in New Hampshire, a town meeting was held in Hampton, June 20, 1665, to consider what course should be taken in relation to them. The town chose Mr. Seaborn Cotton—pastor of the church — Ens. John Seaborn and Samuel Dalton, to express to the commissioners, in writing, the views and feelings of the people, and to assert their rights in the lands, which they had so long and so peaceably possessed, by the grant of the Honorable General Court of Massachusetts. The committee were instructed concerning their remonstrance, “to grace the same with what reasons they might see meet, and to make answers to any claims or objections” that should be made against the town’s right, or privilege of the township, “according to their good discretion, and to present the same to the king’s Hon. Commissioners, if they should think it expedient.”¹

Though no evidence has been found to show that such a remonstrance was presented, yet the well known character of the committee forbids the supposition, that they shrank from the performance of duty. As a matter of expediency they may have omitted to remonstrate. Possibly, there was then no occasion for a formal assertion of their right to a quiet and peaceable possession of their lands. The time for disturbing them in their possession had not come, though

¹Town Records.

the commissioners were preparing the way for it. The first step towards this result was to sever the New Hampshire towns from the jurisdiction of Massachusetts. This the commissioners assumed the right to do, but they failed to accomplish their purpose immediately.

They made some inquiries, and took the testimony of several persons, concerning the bounds of Mason's patent and the northern line of Massachusetts, according to the construction formerly given to the charter. They called together the inhabitants of Portsmouth on the 10th of October, and told them that "they would release them from the government of Massachusetts, whose jurisdiction should come no farther than the bound-house."

This determination, if carried out, would take away all power from the officers who had derived their authority from Massachusetts, and leave the people almost, or quite, in a state of anarchy. To provide against this, the commissioners, in the plenitude of their power, appointed justices of the peace and other officers, with authority "to act according to the laws of England and such laws of their own as were not repugnant thereto, until the King's pleasure should be farther known."

These proceedings were not regarded with favor, by the better portion of the people, who, in general, were strongly attached to the government of Massachusetts; but there were not a few, in some of the towns, who were highly gratified. Some were disaffected towards Massachusetts, on account of the ill-concealed design of those in authority, to extend her jurisdiction beyond the limits evidently intended in the charter; and a few restless spirits were eager for some change of government, which might bring them into notice and confer upon them offices and honors.

ABRAHAM CORBETT'S SEDITION.

Among the persons appointed to office was one Abraham Corbett, of Portsmouth, who gained considerable notoriety by his course. He undertook to act by virtue of this appointment. As he had never been commissioned by the government, the General Court declared him guilty of a high misdemeanor, fined him £5, and ordered that he stand committed till the fine was paid. Irritated by this act of the court, he sought to be revenged on the government. Accordingly, he drew up a petition to the king, in the name of the four New Hampshire towns; complaining of the usurpation of Massachusetts, and praying to be separated therefrom. Through his influence, several of the inhabitants of Dover and of Portsmouth signed the petition.

This proceeding aroused to action the friends of the government,

and they petitioned the General Court that "in some orderly way they might have an opportunity to clear themselves of so great and unjust aspersions," lest by their silence they should seem to be of the same mind with those who framed the petition. The Court appointed a committee to come to New Hampshire and inquire into the matter and report the result.

The committee repaired to Portsmouth, where the people repudiated the petition and professed to be fully satisfied with the government. A similar course was taken at Dover, with a like result. Mr. Dudley, the minister of Exeter, assured the committee that the people of that town had not done anything directly or indirectly, in aid of Corbett's design. From Hampton also the committee received full satisfaction in relation to the subject.

But the troubles and perplexities of the people were not yet ended. The committee from the General Court issued a warrant to arrest Corbett and bring him before them for seditious behavior, but he could not immediately be found. The commissioners, on the other hand, endeavored to thwart the purposes of the committee. They had indeed left the province and gone eastward; but one of them, in the name of the whole, sent back a severe reprimand to the committee, and forbade their proceeding against the signers of Corbett's petition. Each of these parties claimed obedience from the people.

The commissioners had received from the king certain instructions about fortifying the harbors, and they issued warrants to the four towns to meet at a time and place appointed to receive the king's orders. The Governor and Council of Massachusetts dispatched two men to forbid the towns on their peril, to meet or to obey the orders of the commissioners; but, on their own authority, they directed a fortification to be built near the mouth of the Piscataqua river, and made provision for the maintenance and manning of the fort. In a word, though the commissioners had declared that the four towns should be severed from Massachusetts, yet that government continued to exercise authority here as before.

The commissioners, on their return to England, made a report very unfavorable to Massachusetts, and this undoubtedly contributed much to prepare the way for the separation of the four New Hampshire towns from that government, which separation took place a few years afterward.

MASON AND RANDOLPH.

Robert Mason was far from being unmindful of his interest in New Hampshire, but for several years after the return of the commission

ers, little attention was paid him by the English government. Mason, however, was not idle; and at a favorable opportunity, he again petitioned the king to put him in possession of his rights. This petition was referred to the attorney-general and the solicitor-general, for their opinion. In due time they reported, that "John Mason, Esq., grandfather to the petitioner, by virtue of several grants from the Council of New England, under their common seal, was instated in fee in sundry great tracts of land in New England, by the name of New Hampshire; and that the petitioner being heir-at-law to the said John had a good and legal title to said lands."

In March, 1676, the Massachusetts government was ordered to send agents to England within six months, to answer to the complaints of Mason and Gorges. This order, with copies of the complaints, was sent over by Edward Randolph, a relative of Mason. He was also directed by the Lords of Trade and Plantations, to inquire into the state of the country.

Having delivered to the governor of Massachusetts the documents entrusted to him, he came into New Hampshire, in July, where he openly proclaimed the object of his visit, and publicly read a letter addressed by Mason to the inhabitants, and endeavored to excite a feeling of disaffection towards the government. He found individuals ready to complain of Massachusetts, and to seek to be released from her jurisdiction; but the great body of the people preferred to remain as they were, and were indignant at Randolph's proceedings.

The people of Dover, in town meeting assembled, September 1, denounced Mason's claims, professed satisfaction with the government of Massachusetts and appointed Major Waldron to petition the king to let them remain as they were.

The same day, at a town meeting in Portsmouth, it was voted that a similar petition signed by the inhabitants of that town be sent to the king, and four leading citizens were appointed to draft and forward it.

The next day, at a town meeting in Hampton, Mr. Seaborn Cotton, pastor of the church, and Samuel Dalton were appointed "to draw up a declaration or testimony, concerning their desires to continue under the Massachusetts government, and to clear themselves from having any hand in damnifying Mr. Mason, either in his lands or government; and for the full vindication of their rights, to request the General Court to prosecute the same to full effect."

By these instructions to their committee, the town probably intended to declare that they did not consider Mason's claims as having any validity; and, consequently, neither in refusing to pay him rents,

nor in their allegiance to Massachusetts, did they at all interfere with his rights either of property or jurisdiction, or in any way do him an injury. On the contrary, *their own* rights rather than *his* had been invaded: and *these*, they called upon the government to vindicate and protect.

RANDOLPH'S LYING REPORTS.

Edward Randolph soon returned to Boston, and not long after sailed for England. In his report to the king, he stated that "he had found the whole country complaining of the usurpation of the magistrates of Boston; earnestly hoping and expecting that his majesty would not permit them any longer to be oppressed, but would give them relief according to the promise of the commissioners of 1665."

This report, however much it might favor Randolph's design to incense the mind of the king against Massachusetts, in order to induce him to sever from that government the four towns whose territory Mason claimed, is sadly deficient in one very important element, namely, truthfulness, as is abundantly shown by the results of the town meetings already mentioned. Not less at variance with facts, is his report to the Lords of Trade and Plantations. Yet these reports appear to have produced the effect intended.

THE FOUR TOWNS SEVERED.

After Randolph's departure, the Massachusetts government called a "special council," and asked whether it were best to send agents to England, or trust to letters only. The council advised to send trusty agents; and two prominent men were at once dispatched. Arrived in England, they disclaimed, before the lords chief justices of the king's bench and common pleas, all title to the lands claimed by Mason, beyond their limit of three miles north of the Merrimac. "The judges reported to the king, that they could give no opinion as to the right of soil, in the provinces of New Hampshire and Maine, not having the proper parties before them" since the apparent proprietors, the people in possession, had not been summoned to defend their titles. "As to Mason's right of government within the soil he claimed, their lordships, and indeed his own counsel, agreed he had none; the great council of Plymouth, under whom he claimed, having no power to transfer government to any. It was determined that the four towns of Portsmouth, Dover, Exeter and Hampton were out of the bounds of Massachusetts." This report was accepted and confirmed by the king in council,¹ in 1677.

¹Farmer's Belknap, 87.

CHAPTER V.

TOWN AND PROVINCE UNDER THE ROYAL GOVERNMENT. 1677-1689.

A NEW JURISDICTION—JOHN CUTT, PRESIDENT.

THE decision having been made in England, that neither Massachusetts nor Robert Mason had a right to rule New Hampshire, and that the validity of Mason's claims could be determined only by trial on the place, there being no court in England that had cognizance of it, it became necessary to provide some other government for the four towns, which still constituted the whole inhabited part of that territory; and for the trial of Mason's title, "a new jurisdiction should be erected, in which the king might direct the mode of trial and appeal at his pleasure." The Massachusetts government was officially informed of the king's intentions, and required to revoke all commissions in New Hampshire. A restraint was put upon Mason also, forbidding the imposing of back rents, and limiting his future charges to "sixpence in the pound," *ad valorem*.

The commission for the new government was passed, September 18, 1679;—in an act, "which inhibits and restrains the jurisdiction exercised by the colony of Massachusetts over the towns of Portsmouth, Dover, Exeter and Hampton, and all other lands extending from three miles to the northward of the Merrimack River or any part thereof unto the province of Maine."¹ New Hampshire was created a Royal Province, to be governed by a president and council. John Cutt, Esq., of Portsmouth, was appointed the first president, and six men, of whom was Christopher Hussey, of Hampton, were named as councillors, with instructions to choose three more. Any five of these, with the president or his deputy, were to constitute a quorum. They were, with the concurrence of an assembly, authorized to assess taxes. The assembly, to consist of deputies of the towns, was to constitute a part of the government so long as the king should not see fit to order otherwise. Enactments were to be transmitted to the Privy Council by the first ships, and to remain in force until disallowed by that authority. All the other powers of this new govern-

¹ Farmer's Belknap, 88.

ment were definitely set forth in the commission, which was received on the first day of January, 1680.

The messenger by whom the commission was brought over from England was Edward Randolph, known to be so devoted to Mason's interests, as to render the people suspicious that their liberties were to be abridged or their rights otherwise prejudiced. On his arrival in Portsmouth, the men named in the commission as magistrates, perceiving that their appointment had not been made out of respect for themselves, but as a stroke of policy, designed to render the new form of government less odious to the people, were reluctant to accept the offices. But the commission required—"all excuses whatsoever set aside, y^t they fail not to assemble and meet together at y^e s^d town of Portsmouth in y^e province of New Hampshire afores^d within y^e space of twenty days next after y^e arrival of this commission at Portsm. aforesaid."

Accustomed to yield obedience to the king, and fearing that, if they should decline the offices tendered, other persons less favorable to the interests of the people, would be appointed, they consented, after a delay of *nearly* three weeks, but within the time named in the commission, to qualify themselves by taking the oaths of allegiance and of office.

As one of their first duties, they proceeded to the election of three councillors, to fill the board. They chose Elias Stileman, of Great Island, then belonging to Portsmouth; Samuel Dalton of Hampton; and Job Clements of Dover.

Having completed the organization, a proclamation was made, for all officers to keep their respective places till further ordered. Shortly after (February 4, 1680), a warrant was sent to the selectmen of each of the towns, requiring that a list of the names of their inhabitants and inventory of their estates be sent to the president and council at their sitting on the 16th of the same month.

Being required by their commission, to call a General Assembly, and being empowered to determine who should have the privilege of choosing deputies, the president and council ordered: "that the persons hereafter named in the several towns shall meet together on the first day of March next, by 9 of the clock in the morning, and having first each of them taken the oath of allegiance (if they have not taken it already), which oath is to be administered by the member or members of the said Council there residing, choose from among themselves, by the major vote given in in writing, not exceeding the number of three persons, which persons so chosen are to appear at Portsmouth on the 16th day of March following, by 9 o'clock, there to attend his Majesty's

service for the concerns of the said Province of New Hampshire, provided that we do not intend that what is now done be precedential for the future, and that it shall extend no further than to the calling this first Assembly." None were to be permitted to vote except those mentioned in the list appended to the order, on penalty of paying a fine of five pounds.

The list of names for Hampton follows :

Mr. Seaborn Cotton.	Thomas Nudd.
Nath'l Batchelder.	Abraham Perkins.
John Brown, Sen.	Isaac Perkins, Not app'd
Nath'l Boulter, Sen.	Francis Page.
Moses Cox.	Thomas Philbrick.
John Clifford, Sen.	Henry Roble.
John Clifford, Jun.	John Redman, Sen.
Henry Dow.	John Sanborn.
Godfrey Dearborn.	Isaac Marston.
Thomas Dearborn.	Henry Moulton.
Henry Dearborn.	William Sanborn, Sen.
Abraham Drake, Sen.	Samuel Sherburne.
Gershom Elkins.	Anthony Stanyan.
William Fuller.	Robert Smith.
William Fifield, Sen.	John Smith, Coop'r.
Benjamin Fifield.	John Smith, Tal'r.
Henry Greene.	Thomas Sleeper.
Isaac Godfrey.	Joseph Shaw.
Edward Gove.	Benjamin Shaw.
Morrice Hobbs.	Anthony Taylor.
Timothy Hilliard.	Daniel Tilton.
John Knowles, Sen.	Andrew Wiggins.
Thomas Leavitt.	Thomas Wiggins, Not app'd.
Thomas Marston.	Nathaniel Wear.
Ens. Moore.	Thomas Ward. Not app'd.
William Marston.	Thomas Webster.
Josiah Moulton.	Joseph Smith.
John Moulton.	Samuel Dalton, Esq.
John Marrian.	

"John Roberts, of Dover, is chosen head Marshal of this Province, and Henry Dow of Hampton, under him."

"At a General Assembly held in Portsmouth, in the Province of New Hampshire, the 16th day of March, 1678 : present of the Council :— Richard Waldron, Esq., *Deputy President*," and eight others, of whom, Christopher Hussey and Samuel Dalton Esqrs. from Hampton. Of the eleven deputies present, Mr. Anthony Stanyan, Mr. Thomas Marston and Mr. Edward Gove were from Hampton.

MARSHAL'S OATH.

"Yon, J. R., being chosen Head Marshal for the Province of New Hampshire, do swear by the ever living God that you shall perform, do and execute all such lawful commands as shall be directed to you from lawful authority constituted by his Majesty in this Province, without favor, fear, or partiality, according to your best ability and the laws here established ; so help you God."

"John Roberts and Henry Dow took the oath for Marshals of this Province."

"The council finding a necessity of prisons, and keepers for them, for the securing of offenders and other persons for debt, do order that the prisons already at Hampton, Dover, and Portsmouth, shall be for the same use still ; and Jno. Souter of Hampton, and Jno. Tuttle of Dover, and Richard Abbot of Portsmouth, be and are empowered prison-keepers to the several prisons in the respective towns where they dwell ; and to receive all such prisoners as shall be committed to them by authority, and this to continue during the pleasure of the Council."

PROBABLE POPULATION, IN 1680.

It has been estimated that the white population of New Hampshire, in 1675, was not far from four thousand. If this estimate is correct, and the number remained the same in 1680, the ratio of the legal voters to the whole population was very much less than it is at the present time. But this estimate is probably much too high. It may be difficult to ascertain the relative population of the several towns ; but there are good reasons for thinking that Hampton contained at least one-quarter of the whole population of the province. Though it is uncertain what number of inhabitants was here in 1680, yet fortunately the number at the beginning of 1686, is known, and it is hardly probable that during the six intervening years, the number had diminished. From an entry in the diary of Capt. Henry Dow, under date of Jan. 17, 1685-6, it appears that the whole number of inhabitants in the town, was 707 ; and that, of this number, 495 lived on the north side of Taylor's River, and 212 on the south side. The whole number in the province did not probably exceed three thousand.

Preparatory to the meeting of the general assembly, a public fast was observed, February 26, to ask for the Divine blessing and "the continuance of their precious and pleasant things." The assembly met at Portsmouth, on the 16th day of March, and was opened with prayer, and a sermon by Rev. Joshua Moody, the pastor of the church in that town.

One of the first acts of the government after the assembly had met, was to prepare and dispatch a letter to the governor and council of Massachusetts, expressing their regret at the separation that had taken place, in which they had acquiesced only in submission to Divine Providence and the commands of the king; and their desire to maintain friendly relations, and to show themselves serviceable to the sister province, should opportunity offer.

The assembly held four sessions, and, with the consent of the president and council, enacted such laws as were required. Inferior courts were established in all the towns except Exeter. By whom the court at Hampton was held, is not now known.

"LORD PROPRIETOR."

Near the close of the year 1680, Robert Mason came over from England, with a writ of *mandamus* from the king, and took his seat at the council board. The principal object of his visit, at this time, was to obtain possession of the estate, to which he firmly believed he had a just and legal title. He hoped also that the inhabitants of the province would be induced to take leases under him, of their houses and lands, according to the terms required by the king. But he found the undertaking more difficult than he had anticipated. He could not convince the people of the justice of his claim; they still thought their own rights, derived from the purchase, occupation and improvement of the lands on which they lived, and which they had defended against a savage foe, at great expense of men and money, paramount to his. Under the influence of disappointment, Mason appears sometimes to have lost his self-control, and to have forgotten his engagement to the king. Finding himself unable to *persuade* the people, he undertook to *intimidate* them to a compliance with his demands. In some cases he forbade persons cutting timber or fuel, and even threatened to sell their estates, claiming the whole province as his own, and assuming the title of LORD PROPRIETOR.

So far from advancing his own interest by this course, Mason greatly irritated the people and united them more firmly in opposing his claims. A few persons, indeed, consented to take leases under him, but a much larger number might probably have been gained by conciliatory measures, though even then a large majority would have contended for what they regarded as their just rights.

Each of the towns in its corporate capacity, and many of the people, individually, applied to the president and council for protection.

At a town meeting held in Hampton, March 21, 1681, the subject was discussed and measures were taken to secure to the people their rights. Sergt. Joseph Dow and Edward Gove were appointed, in bo-

half of the town, to draw up and prepare a statement of the case, and to assert the rights of the inhabitants to their lands, and present the same to the council at their next sitting. That all the legal voters might have an opportunity to sign this paper, designed as a petition, Lieut. John Sanborn and Sergt. Thomas Philbrick were chosen to present it to all who were not present at this meeting, for their signatures.

The council soon afterward published an order prohibitory of Mason's proceedings. Irritated by this order, he refused to sit at the council-board, when requested. After some further altercation, disappointed and chagrined, he left the province on the 27th of March and, about three months from the time of his arrival, set sail for England.

RICHARD WALDRON, PRESIDENT.

A few days afterward, President Cutt, who had for a considerable time been in feeble health, died at an advanced age, and was succeeded in office by his deputy, Richard Waldron. In the course of the following summer, another breach was made in the council, by the death, August 22, of Mr. Dalton, at the age of about 52 years. The vacancies thus made were filled by the election of Richard Waldron, Jun., son of the president, and Anthony Nutter, both of Dover. John Roberts resigned the office of marshal of the province, and Henry Dow, of this town, was appointed his successor.

Of Waldron's administration, Belknap remarks: "The common business went on in the usual manner."

ANOTHER OVERTURNING—MASON AND ORANFIELD.

Robert Mason went away a thoroughly disheartened man. He had evidently thought, when the new government for New Hampshire was about to go into operation, that the object for which he had so long and so assiduously labored was about to be accomplished, and that under this government he might render available his claim to the province. Buoyant with hope, he had come hither to assert his claim, not doubting that it would be admitted, and the people become his tenants, by taking leases of the houses which they had themselves built and the lands which they had so long occupied. From the rents accruing, he had anticipated a golden harvest. But his sanguine expectations had not been realized. A few months' residence among the people had taught him that they would not willingly become his vassals, nor tamely surrender the rights, which they claimed as proprietors of the soil, and owners in fee of the property

in their possession. The experience of a few meetings at the council board had convinced him that the members of the board entertained the same views and feelings as the people, and that from them he could not expect any special favor. In a word, he despaired of realizing any substantial benefit from his claims, unless the government should pass into other hands. Therefore a new task was now before him: another change in the government must be brought about. This he undertook to effect, and by an agreement to divide the spoils with the king, he succeeded. In short, he was allowed to make his own selection for governor, and to have conferred upon him most arbitrary powers.

Edward Cranfield, a man as unprincipled and as greedy of gain as the king himself, for a valuable consideration, consented to become Mason's tool; and, armed with his governor's commission, he arrived in Portsmouth on the 4th of October, 1682, and at once entered upon that course which has made his name odious to this day. The commission authorized him "to call, adjourn, prorogue and dissolve, general courts; to have a negative voice in all acts of government; to suspend any of the council, when he should see just cause; to appoint a deputy-governor, judges, justices, and other officers, by his sole authority; and to execute the powers of vice-admiral." Mason and seven others of the former council were reappointed, while Mr. Hussey and the younger Waldron were dropped, and Walter Barefoote and Richard Chamberlain appointed in their places. Before a week had passed, however, two members of the council were suspended; and soon after, an assembly was called, which met on the 14th of November. The members from Hampton were Edward Gove and two others, now unknown. On the first day of the assembly, Cranfield restored the suspended members; and thereupon, the assembly, hoping to detach him from Mason, voted him a gratuity of two hundred fifty pounds. This the governor readily accepted, and on the 1st of December ordered an adjournment.

The assembly met again on the second week in the next month, when there was found to be an entire want of harmony between them and the governor; and after some altercation—they refusing to pass a bill recommended by him, and he to sign some bills passed by them—he dissolved the assembly after a session of less than two weeks. This act of Cranfield's, though allowed by his commission, was without precedent in New Hampshire, and repugnant to the feelings, not only of the deputies, but of the people generally, who regarded it as an arbitrary act, and an unwarrantable abuse of power.

EDWARD GOVE'S INSURRECTION.

The people of the province, ever jealous of their liberties, were indignant at Cranfield's conduct, but, in general, demeaned themselves as good citizens. A few only, under the leadership of EDWARD GOVE, of Hampton, determined to revolutionize the government, or, at least, to effect a reform. Gove was a person of considerable property, and somewhat popular, and, as Mr. Randolph affirms, "a leading man and a great stickler in the late proceedings of the assembly." Under the influence of resentment, caused by a free use of ardent spirits, and by a want of rest,—such is his own acknowledgment,—he resolved, almost single-handed, to redress his own and others' grievances. He "made it his business," said Randolph, "to stir the people up to rebellion, by giving out that the governor, as vice-admiral, acted under the commission of his royal highness,¹ who was a papist, and would bring popery in amongst them; that the governor was a pretended governor, and his commission, signed in Scotland. He endeavored, with a great deal of pains, to make a party, and solicited many of the considerable persons in each town to join with them to recover their liberties."

Gove declared "that his sword was drawn, and he would not lay it down, till he knew who should hold the government." The governor, having received information of his movements, immediately sent messengers to Hampton and Exeter, with warrants for the constables, requiring them to arrest him; but fearing that his party might become too strong for the civil power, he forthwith ordered the militia of the whole province to be in readiness.

At first, Gove eluded or repulsed the marshal and others who attempted to arrest him in this town, and hastened "to his party at Exeter, from whence he suddenly returned with twelve men [principally] of that town, mounted and armed with swords, pistols and guns,—a trumpet sounding and Gove with his sword drawn riding into Hampton at the head of them." Here they were all arrested and taken into custody by the militia of the town, except the trumpeter, who, "forcing his way, escaped, after whom a hue and cry was sent out to all parts."

When Governor Cranfield was informed of this arrest, he was just mounting his horse to lead a part of the troop in pursuit of Gove and his party.

Randolph says: "This rising was, unexpectedly to the party, made upon the 27th day of January." He further asserts it as the general

¹ The Duke of York, afterwards James II.

belief, that "many considerable persons, to whose houses Gove either went in person, or sent—calling upon them to come out and stand up for their liberties, would have joined with him, had he not discovered his designs, or appeared in arms at that time; for," he adds, "upon the 30th day of January, being appointed by the governor, a day of public humiliation, they designed to cut off the governor, Mr. Muson and some others, whom they affected not."

It seems hardly credible that a conspiracy so base, and to be executed on a day of public humiliation, was ever formed by *many*, or even *any*, of the leading men in New Hampshire. Its existence, so far as can now be learned, depends entirely upon Mr. Randolph's statement, and the charge appears to be not only untrue, but so improbable, that to one unacquainted with Randolph's character, and his malignity towards the people of New England, it would be difficult to account for such a statement; but taking into consideration his character and his prejudices, it is even more surprising, that he could keep so near the truth, as he does in some parts of the narrative from which the foregoing extracts have been taken.

Gove and his associates having been arrested, the governor sent a strong party of horse to guard them (then prisoners in irons) from Hampton to Portsmouth. This was on Saturday. The next day, although it was the Sabbath, they were taken separately before the governor and council, for examination. The first one examined was *Edward Gove*. He did not deny what he had lately said and done. He admitted that "he did sound, or cause to be sounded, the trumpet being his own; and did draw his sword because his own," and added: "The governor is no judge of this court, but a pretended one, and a traitor to the king and his authority." Then addressing Governor Cranfield directly, he said: "Your Honor is in more danger of your life than I." Being asked what he meant, he replied: "God in heaven will do me justice."

The examination of the other persons arrested, elicited but few facts tending to criminate them of anything but being in Gove's company. Yet all of them were committed to the prison at Great Island, where, on account of the dilapidated state of the prison, they were still kept in irons, lest they should make their escape.

No time was lost before bringing the prisoners to trial. On Monday, the 5th day of February, 1683,—only nine days after their arrest—a special court was constituted and holden at Portsmouth, for this purpose, before Richard Waldron, Judge, and Thomas Daniels and William Vaughan, Assistants, "and others, His Majesty's Justices of the Peace for the Province, then present."

The prisoners, eleven in number, were all charged with the crime of HIGH TREASON.

A grand jury was impanelled and sworn in open court, "to make inquiry for our Sovereign Lord the King."

The witnesses being sworn and examined, the grand jury *found a true bill* against nine of them, viz.: Edward Gove, John Gove, William Healey, of Hampton, John Wadleigh, Joseph Wadleigh, Robert Wadleigh, Thomas Rawlins, Mark Baker, and John Sleeper, of Exeter.

Upon the presentment of the grand jury, a petit jury of the freeholders of the province, was returned and impanelled for the trial of the persons indicted, who severally pleaded "*Not guilty.*"

From the depositions laid before the jury to prove the guilt of the prisoners, a few statements only are selected to be introduced here, but enough to give some idea of the object and character of Gove's movements.

From the testimony of Richard Martyn, of Portsmouth, it appears, that Edward Gove was at his house on Thursday, the 25th of January, and that he said, he was "on a design," and added: "We have swords by our sides, as well as others, and will see things mended before we lay them down." He said he was going to Dover and would be heard from in three or four days.

By the testimony of Reuben Hall, it was proved that Gove was at Dover on Friday, the day after Martyn had seen him at Portsmouth, "having his sword and boots on." In reply to Hall, who asked what was the matter with him, he said: "Matter enough! we of Hampton have had a town meeting, and we are resolved as one man, that these things shall not be carried on as they are like to be; we all have our guns ready to stand upon our guard; and I have been at Exeter, and they are resolved to do the same. I have my sword by my side, and brought my carbine also with me. . . . The Governor has stretched his commission."

Edward Gove alone was adjudged guilty of treason; the rest were pardoned and set at liberty; but upon this fellow-citizen of ours was passed sentence as horrible as the tortures of the Spanish Inquisition — "That he should be carried back to the place from whence he came, and from thence be drawn to the place of execution, and there be hanged by the neck and cut down alive, and that his entrails be taken out and burnt before his face, and his head cut off, and his body divided into four quarters, and his head and quarters disposed of at the king's pleasure." This revolting sentence, however, was not executed. Gove was reprieved, sent to England, and imprisoned in the Tower about three years; when he received a full pardon, and returned to his family.

LEASES UNDER MASON RESISTED.

Scarcely two weeks had elapsed after the close of these trials, when a proclamation of the governor, requiring the people of the province to take leases of their houses and lands from Mason, brought three prominent men of Dover into direct collision with both these dignitaries, and stirred anew the strife between oppression and revenge on one part, and on the other, resistance to outraged liberties.

Mason's first suit was against Major Waldron; who, seeing that he had a packed jury, made no defense, and the case went for the plaintiff. Encouraged by his success, suit followed suit, with like result. Several of the inhabitants of Hampton, against whom suits had been brought, presented to the court a written statement of the reasons for declining to join issue, viz.: "The refusal of Mason to comply with the directions in the commission; the impropriety of a jury's determining what the king had expressly reserved to himself; and the incompetency of the jury, they being all interested persons;" and some of them, it was well known, devoted to Mason's interest. Every objection was overruled, and, as to the decisions of the court, Mason had no reason to complain; but here his triumph ended. As "a horse may be led to water but cannot be made to drink," so many estates were declared for sale, but none could force a purchaser; and the rightful owners remained for the most part in possession.

It does not comport with the plan of this work to mention all the grievances of the people under this corrupt and oppressive administration. In a word it may justly be said, not only that Cranfield was governor, but that *he was the government*; for with a council of his own selection, and wholly dependent on him for continuance in office, he assumed to legislate without an assembly; and the courts were but the creatures of his will. He also interfered with the rights and privileges of towns, so far as to forbid the constables to collect any town or parish taxes, till the province tax had been paid and all accounts settled with the treasurer. He even restricted the right of the people to assemble in town meeting, as appears by the following order issued by him.

"BY THE GOVERNOR."

NEW HAMPSHIRE.

L. S.

EDW: CRANFIELD.

For prevention of disturbance by unlawful Assemblies and Meetings, such as we have too lately experienced, and such as may for y^e future arise to ye terror of his Ma't's [Majesty's] Subjects within y^e s^d Province: *Ordered*, "That y^e Trustees or Overseers of the several respective Towns therein, or others, presume not to call any Public Meeting about any Town business, or on other pretence whatsoever, Without

leav first obtained from y^e Justice or Justices of y^e Peace of y^es^d respective Towns, upon iust [just] representation of y^e necessaryness of such Town or Public meeting; on such penalty as y^e Law directs, to be inflicted upon unlawful Assemblies.

Dat. y^e 8d day of March, 1682 [-8]."

Superscribed: "To the Constable of Portsmouth.—To be published, 1682." [1682-8].

NATHANIEL WEARE'S MISSION TO ENGLAND.

The inhabitants of Hampton and of the other towns in the province, had, with few exceptions, refrained from joining Edward Gove in his quixotic attempt to reform the government; but they could not be insensible to the tyranny of Governor Cranfield. They ever had been, and still were, ready to assist in suppressing acts of rebellion; but they were not prepared to yield to oppression without a struggle. They regarded it as their right to pour their complaints into the ears of the king, and to ask for redress. But under Cranfield's administration, it was dangerous, even to *complain*. Still, this appeared the only proper course to be pursued, and after some consultation, it was adopted. So careful and so cautious had been the movements of the leading men, that their agent had been selected, funds had been raised to meet his expenses, and he had left the province, and was already at Boston, about to embark for England, before the governor was aware of their design.

The agent, selected and sent on this important mission, was Nathaniel Weare, Esq., a leading citizen of Hampton. The confidence thus reposed in him indicates that he had the reputation of being a man of ability, prudence and integrity; and the result showed that their confidence had not been misplaced.

Fear of being detained by the governor, constrained Mr. Weare to hasten to Boston, without waiting to obtain such evidence as would be needed to substantiate the charges to be brought against Governor Cranfield. He was accompanied to Boston by Maj. William Vaughan, of Portsmouth, and to him was intrusted the important service of procuring depositions to be forwarded to England; but, on his return from Boston, he was immediately arrested by the governor's order, and committed to prison, where he was confined nine months, much to the detriment, not only of his own private interests, but to those of an oppressed people, as this prevented him from obtaining the evidence necessary for the agent. Other individuals, indeed, undertook the work that had been assigned to Mr. Vaughan, but they were denied access to the public records, and when they applied to the governor to summon and swear witnesses for them, their request was not granted.

Hence it was necessary to go out of the province to have the depositions properly authenticated.

When, therefore, Mr. Weare arrived in England, he was not prepared to bring his complaints to the king, at once; but after waiting a considerable time for depositions from home, and waiting in vain, he ventured to prefer some *general charges* against Governor Cranfield. By this means, a way was opened for procuring, in a few months, the needful evidence, for, the complaint having been referred to the Board of Trade, they transmitted a copy to the accused, that he might prepare a defense; and at the same time ordered him to allow the complainants access to the records, and to afford them every facility for obtaining and authenticating evidence. However humiliating this order might be, it was from such a source, that he dared not disobey. As he was charged with not following the instructions of his commission, concerning Mason's claims, but allowing those claims to be tried in courts not properly constituted, he immediately, upon the receipt of this communication from the Board of Trade, suspended the suits that had been brought, till a decision, as to the legality of the courts, should be made by the proper authorities.

The agent in England, having received from home, the evidence needed, presented his charges in a new and more specific form. A hearing was at length had before the Lords of Trade [March 10, 1685], who reported to the king "that Cranfield had not pursued his instructions with regard to Mason's controversy; but instead thereof, had caused courts to be held and titles to be decided, with exorbitant costs; and that he had exceeded his power in regulating the value of coins." The agent had brought other charges against the governor, but in relation to them, the Lords of Trade expressed no opinion. The report, as made, was accepted by the king in council.

GOVERNOR CRANFIELD'S SCHEMES TO OBTAIN MONEY.

It will now be necessary to go back a little in the order of time, and notice some other grievances, which the people of New Hampshire suffered, under the administration of Governor Cranfield. When he accepted the government of the province, he undoubtedly supposed the office would be a lucrative one; and this, more than any other consideration, induced him to accept it. But this pleasing anticipation was far from being realized. Disappointment in his favorite object probably had no inconsiderable influence in shaping the course of his administration. He had undertaken to administer the government without calling an assembly; yet his want of money became so pressing, that, for relief, he was under the necessity of altering his policy, and

issuing writs for the election of deputies. The assembly convened at Great Island, January 14, 1684. The governor tendered them a bill, which had already been passed by the council, for raising money. The bill had been artfully drawn up, under pretext of danger of invasion by a foreign foe, and the need of raising money for repairing the fort and supplying it with ammunition, and "other necessary charges of government."

After some discussion, the assembly adjourned. On flood tide that evening, the members went up the river to Portsmouth, and returned on the next ebb. Having met after their return, they refused to pass the bill. The governor, in his wrath, immediately dissolved the assembly. But this was not deemed a sufficient punishment for not yielding to his wishes. He caused the speaker and several of the members to be appointed constables for the ensuing year. If they refused to serve, a fine of £10 was the penalty in each case. The members from this town were Anthony Stanyan, Joseph Smith, and Lient. John Smith, the last of whom, usually styled John Smith, *the cooper*, was made constable.

Having failed to procure money by an act of assembly, the governor now ventured on a hazardous experiment, the raising of money without the intervention of an assembly. In his commission was a provision that he and his council might "continue such taxes as had been formerly levied, until a general assembly could be called." This was evidently intended to meet any exigency that might occur at the beginning of his administration, when money might be needed sooner than it could be raised by the ordinary course of legislation. As such, it may have been a wise provision; but beyond this, it was not designed to operate. Yet it served the governor as a pretext for the authority which he now assumed, though it was clear to every person, that it was *only* a pretext; for not only had there been sufficient time for calling an assembly, but more than one had been convened and dissolved since his administration began. Such were the views of the council. When, therefore, the governor applied to them to take the responsibility of continuing the tax that had last been levied by the preceding administration, they hesitated. Soon it was rumored that a plot had been discovered among the Eastern Indians to renew the war in the following spring. The council were summoned February 14, in great haste. The governor told them that for the defense and security of the province, money was needed, and that it could not be raised in season in any other way than by continuing such taxes as had formerly been laid. The council now gave their consent, though their action was not immediately made public, for the people were not yet

prepared for it. By a further order of the governor and council, the inhabitants of the province were required to fortify the *Meeting houses* and establish convenient garrisons in other parts of their several towns, and to provide themselves with a stock of ammunition. Other measures were also adopted betokening imminent danger.

At this juncture, Cranfield met with an obstacle he had not anticipated. A letter from the Lords of Trade directed him to levy no taxes on the people, except by an act of assembly. What now will the governor do? Will he obey this order? Yes—so far as to summon an assembly, but no farther. Having ascertained that several members of the last assembly had been elected again, he ordered an immediate dissolution; and then wrote to the Lords of Trade, that, though in obedience to their commands, an assembly had been called, yet he did not deem it prudent or safe to let them sit; and that the election of those four constables to the assembly—who had been ordered to serve in that office because they had acted independently in the last assembly—looked like a design to disturb the king's peace. He then intimated that the rate made in the time of Presidents Cutt and Waldron, had been continued, but could not be safely published without the presence of a small frigate.

RESISTANCE TO UNJUST TAXATION.

The next step—despite the instructions from the Lords of Trade, and the fears of the governor about publishing the order of the council to continue a former tax—was to issue warrants to the constables of the several towns, to collect the taxes. Will the people quietly submit to pay taxes so illegally ordered? We shall see. The constables called upon the inhabitants agreeably to their warrants; but so few responded to the call, that they soon reported to the governor and council, that the people refused to pay.

Special instructions were then given to the constables in regard to their method of procedure. A warrant was issued September 15, to Nathaniel Batchelder, the constable of Hampton, setting forth that it had been proved by said Batchelder's oath before his majesty's justices of the peace for New Hampshire, that several persons had refused and still continued to refuse "to pay their respective rates, being the king's rate, continued by virtue of his majesty's royal commission, bearing date the 9th of May, 1682." The constable was then empowered and required immediately upon receiving the warrant, "to levy all and every the respective rates of every person so refusing, by distress and sale of the offender's goods and chattels."

But there was one person here—probably there were others also—

designated by name, against whom the constable was ordered to proceed. This was Henry Dow, who before Cranfield's administration, had been marshal of the province. The warrant, in this case, was signed by Walter Barefoote, Richard Chamberlain and James Sherlock, justices of the peace and members of the council. After stating said Henry Dow's refusal to pay his tax, the warrant to the constable proceeds: "These are therefore in his majesty's name to require you forthwith to apprehend the body of the said Henry Dow, and convey him to the prison at Great Island, if he do not immediately discover some part of his estate to satisfy the said rate; and the prison keeper is hereby required him to receive and safely keep, till he shall pay the said rate, or give security so to do, according to an act of this province made the 14th of November, 1682; and this shall be your sufficient warrant. Hereof fail not, as you will answer the contrary at your peril. Given under our hands and seals at Great Island, the first day of September, in the 36th year of the reign of our sovereign Lord Charles y^e second, king of England, &c, Añque Dñi, 1684."

Whether Mr. Dow "discovered some part of his estate to satisfy this rate," or "gave security," or was imprisoned, cannot now be ascertained, but his tax was not paid till more than four months afterward, as appears from the original receipt, dated January 20, 1684 [-5], and signed by James Sherlock.

PROVOST-MARSHAL, THURTON.

When it became evident to the governor and council, that the constables, either *could not*, or *would not*, collect the odious tax, some of them were fined; and Thomas Thurton, the provost-marshal, was ordered to take charge of the collection, both of the taxes and the fines.

One of the delinquent constables was John Foulsham, of Exeter, who at the Quarter Sessions in November, 1684, was fined 50s. for neglecting the duties of his office. A few weeks afterward, Monday, December 29, the provost-marshal, attended by John Mason, of Hampton, a deputy marshal, went to Exeter for the purpose of demanding this fine. The treatment they received will serve to show the feeling then existing among the people, although it was, in most cases, kept under restraint. Thurton, on his way to Exeter, passed through Hampton. From this place, he and his deputy, both wearing swords, were followed by ten or twelve Hampton men, all on horseback, and armed with clubs, who, according to the marshal's account, pushed, and otherwise maltreated both him and his deputy. On their arrival at Exeter, other persons—and not a few, including Mr. Cotton, the minister—joined with those from Hampton, in harassing the officers.

While the latter were at the house of a widow Sewall, to refresh themselves and their horses, they were treated with much contempt, being thrust about and repeatedly called *rogues*. The bridles were taken from their horses, and the horses turned loose. When they went in search of them, the same company followed, and one of them struck the marshal several blows with a club, stunning and bruising him.

When the marshal and his deputy met Foulsham—whether before or after the occurrences just mentioned, does not appear—he bade them beware of levying at his house, if they would avoid a red-hot spit and scalding water, telling them, that he should not regard a warrant from the governor and council, nor from any of the justices of the peace. Foulsham had also spirited coadjutors. Even the women warned the officers against calling for rates, as they had boiling water on hand, and, in some instances, had kept it constantly over the fire for two days, ready to give him a *warmer* reception than would be agreeable to him.

THURTON AND ROBY'S ADVENTURE.

The following Friday, the provost-marshal went to Hampton, to the house of Samuel Sherburne,¹ to demand the payment of £5 imposed on him for alleged assault on Dr. Richard Hooper, a citizen of the town and near neighbor of Sherburne's. On his refusal to pay, Thurton "took the body of the said Sherburne in execution, and carried him to the house of Henry Roby, Esq., one of his Majesty's justices of the peace." Here a fracas took place between three Exeter men, Gilman, Leavitt and Lamprey, on one side, and Thurton and Roby on the other, during which Sherburne made his escape.

The cause of this fracas was, that Roby had just made out a warrant to commit Leavitt to prison, for seditious language, and, on Gilman's interfering, had made another warrant and handed it to the marshal, for committing him likewise. Both men resisted, till a little son of Sherburne entered and whispered a few words to them, when they said they would go.

Accordingly, in custody of three men, they went quietly, till, arrived at Sherburne's house, they declared that they would go in there, and would not go to prison. At the same time, three or four persons, Sherburne himself among them, rushed out and rescued the prisoners. The same night, Gilman, accompanied by four men armed with clubs, returned to Henry Roby's house, and made several violent attempts to break down the door; but on Roby's threatening to shoot them, they went away.

¹The ordinary, on Rand's Hill.

The provost-marshal, after losing his first prisoner, Sherburne, at Roby's house, went in search of him; and finding him at his own house, in company with twenty or thirty men, armed with clubs, attempted to re-arrest him, when he was attacked by Sherburne's companions, and roughly treated. According to his deposition afterwards, these persons, masked with handkerchiefs, beat and attempted to strangle him, tied his hands and legs, took away his sword and dragged him a quarter of a mile from the house by the rope that tied his hands. There the crowd seem to have left him; but two men then untied his legs and drove him forward another mile and a half, beating him with a cudgel. Then being worn out, he sank in the snow and cried "Murder!" in the hearing of several horsemen, inhabitants of Hampton; but none came to his rescue. This was about nine o'clock in the evening. Then, a stranger, coming from Hampton on horseback, was waylaid by the two ruffians, who seized his horse, flung Thurton, bound hand and foot, across him, and so carried him about a quarter of a mile further. The poor victim, "being in extreme pain and near death," as he testified, prayed that he might ride the horse, and then be carried whither they would. This small boon was granted, and they carried him out of the province, to Salisbury.

The foregoing account of the disturbances in Exeter and Hampton, is gathered chiefly from the depositions of Thurton and Roby themselves, and is probably altogether exaggerated.

In 1685, Cranfield, disappointed in his purposes, under censure of the home government, distracted by the attitude of the people, was, at his own request, relieved, and privately quitted the province; and Walter Barefoote, the deputy governor, assumed his office.

MR. WEARE'S SECOND MISSION TO ENGLAND.

Under him, matters went from bad to worse; and Mr. Weare was sent as agent, a second time, to England. The exact date of this second mission is not known, but it was probably not far from the spring of 1686. This time he was unsuccessful, in combatting Mason's claims, but his own papers, relating to the trial, are lost. He returned sometime previous to June 19, 1689, when a meeting of the proprietors of Hampton was held, to raise seventy-five pounds in silver, to pay their proportion for the services of Mr. Weare and Mr. Vaughan. This was on account of money already expended, and was to be raised equally upon the shares, payable in five months.

SIR EDMUND ANDROS, GOVERNOR OF ALL NEW ENGLAND.

In the latter part of the reign of Charles II, a scheme was origina-

ted, for uniting the several provinces and portions of New England, and placing them under one government. Through various machinations, well known in history, this plan was consummated in the reign of James II; and, in December, 1686, Sir Edmund Andros became governor of all New England. He ruled with an iron hand. Out of his large council, *any seven* constituted a council-board, and no larger number need be notified to attend any meeting. The governor and council, *any five* of whom were a quorum, were empowered, without the intervention of an assembly, to make laws, impose taxes, appropriate money and grant lands, virtually, as they chose; and they were not slow to avail themselves of their privileges.

Mason's fortunes seemed in the ascendancy. The Lords of Trade and Plantations reported in his favor; the king approved, and ordered the verdict and judgment to be ratified and affirmed. Then Mason returned to New Hampshire, to have his executions levied according to law. Here, however, a new disappointment awaited him, in the opposition of Andros and his council; and the courts refused to issue executions on the judgments that had been recovered by him. Whatever the motives of Andros may have been, the people were gratified, and their confidence was strengthened in the belief previously entertained, that Mason's title was defective. Thus encouraged, they persevered in resisting his claims. In 1688, Mason suddenly died, leaving "two sons, John and Robert, the heirs of his claim and controversy."

Among the other oppressive measures, Governor Andros forbade the people to assemble in town meetings, except once a year, for the choice of town officers, lest they consult for the redress of their wrongs; and none were permitted to leave the country without his consent, lest complaints be carried to the king. The proceedings of Hampton and the other New Hampshire towns during this administration, will probably never be fully known—the records are silent.

Tyranny is its own executioner;—relief came at last in the accession of William and Mary to the throne of England, and the seizure and imprisonment of Andros, in 1689.

CHAPTER VI.

UNDER ROYAL GOVERNMENT (CONTINUED). 1689-1780.

A CRITICAL JUNCTURE.

NEW Hampshire was now without a government. No magistrates remained, except justices of the peace, and some inferior officers; and "great questions arose, whether justices retained their power, or any captain or other officer, deriving his authority from him, so seized," that is, from Andros. In this state of affairs, there were various attempts to make *some* government till their majesties should take further order; but all proved ineffectual. At first, "persons were chosen in the several towns," says Nathaniel Weare, "to manage the affairs of government in this juncture of time," but that plan was soon found futile. No record has been found, to show who were chosen for this purpose in Hampton.

CONVENTIONS OF THE TOWNS.

It was afterward proposed that deputies from each town should meet in convention, and agree upon some form of government for the whole province. With whom this plan originated does not appear. A letter, dated July 2, 1689, and signed "by several gentlemen of Portsmouth and Great Island"—then belonging to Portsmouth—was sent to Hampton, inviting the town to choose delegates to attend such a convention at Portsmouth, on the 11th of the same month. To this the town agreed, and chose Ens. Henry Dow, Sergt. John Smith and Mr. Joseph Smith as its representatives.

The powers conferred on these representatives of the town were not adequate to the object intended. They were instructed to confer with the members of the convention from the other towns, but were not authorized to agree to any plan proposed. They were required "to bring a true account of every particular," and report to the town, at an adjourned meeting on Saturday—two days after the meeting of the Convention.

There is no record of any town meeting at the time named; and nothing has been found to show even that the proposed convention was held. It might have been ascertained before the time appointed.

that equal powers had not been conferred upon delegates from the several towns, in which case, the convention would be useless. The town of Portsmouth, for instance, had "engaged themselves certainly to comply with" whatever the delegates from that town should promise to do; while those from Hampton could do nothing whatever to bind the town. If the convention met, it is certain that nothing effectual was accomplished.

The fault may have been and probably was, on the part of the people of Hampton; for not long after, one with ample means of information, wrote as follows: "The inhabitants of the town of Hampton began to be very jealous of their friends and neighbors, that they would bring them under several inconveniences, in commanding from them their men and money as they pleased, and so they were very hard to be brought to anything."

Near the close of the year 1689, there was another proposition for a convention. In this case, it seems to have originated in Hampton. The town, "considering the unsettled state they were in for want of government, and so the more incapacitated to defend themselves against the invasion of an enemy," appointed delegates, to meet with such as might be chosen by the other towns, "to consider and debate the matters" of common concern. But here again the same jealousy appears as in the former case. No greater powers were conferred on the delegates now chosen than had been on those chosen in July. The delegates were: Mr. Nathaniel Weare, Capt. Samuel Sherburne and Ens. Henry Dow.

As nothing further is found on record in regard to the proposed convention, it may be presumed that the plan failed at that time also; though it was revived not long afterward, the towns of Portsmouth and Dover then taking the lead. Since the seizure of Andros, nine months had already elapsed, and no orders had yet arrived from the new sovereigns of England. The Indians were in a state of hostility, and the settlements were exposed to imminent danger. This consideration was urged as a strong reason for immediate action for the common defense. Under these circumstances, Portsmouth and Dover each chose six commissioners, to meet with commissioners from the other towns, "with full power to agree upon a method of government."

In accordance with the invitation, a town meeting was held in Hampton, January 20, 1690, when the town, satisfied that the late justices, the only civil officers exercising any functions in the town, were powerless to raise men and money for the common defense, chose six commissioners, with more authority than had been given to the delegates on former occasions. No pledge, however, was given, to abide by the

measures of the convention, unless a majority of the commissioners from this town should agree to them. But, on condition of *their* approval, the town voted to hold the measures of the convention as good and valid, and to obligate themselves, "to yield all ready obedience thereto, until their majesties' orders should arrive for the settlement of the government over them." The commissioners chosen were Henry Green, Esq., Ens. Henry Dow, Mr. Nathaniel Weare, Capt. Samuel Sherburne, Morris Hobbs, Sen. and Mr. Edward Gove.

The convention met at Portsmouth, on the 24th, all the towns being represented. After free discussion, a method of proceeding was finally agreed upon by every man present. It then became necessary that the several towns should choose officers, to carry into effect the plan adopted by the convention. This plan failed, chiefly, perhaps, through the opposition to it in Hampton, where, as in the other towns, a meeting was held, to ratify the doings of the convention and choose officers. But a very large majority seemed to be fearful and suspicious that the other towns did not intend to act according to their professions, but wished to bring the people of this town under them. The minority regarded this view as uncharitable and unjust; but they were referred by the majority to some former acts of some of the towns, which appeared to afford ground for being jealous of them. The town, therefore, voted not to choose officers, according to the direction of the commissioners; and so the plan failed.

REUNITED TO MASSACHUSETTS, 1690.

The necessity for a more efficient government still continuing, and there being but a faint prospect that any plan which might be devised, would be cordially received in all the towns, a petition was drawn up at Portsmouth, addressed to the governor and council of Massachusetts, "to take this province into their care and protection and government, as formerly."

This petition was signed by nearly four hundred persons in the several towns, of whom about forty belonged to Hampton. It was brought hither for signatures, on Wednesday, the 26th of February, 1690, at which time the soldiers had been ordered to meet, but for other purposes than signing this petition, "so that," as was afterward said, "several children and servants made up the number of names, when their parents and masters knew nothing of the matter." The petition was immediately forwarded to Boston, and readily granted by the governor and council, who gave orders that the towns should meet at a time designated, to choose selectmen, constables, and other town officers,

according to former usage and custom. This order was given to Henry Green, Esq., for this town, and was dated March 4, 1690.

The inhabitants of Hampton had always been strongly attached to Massachusetts and had never desired to be separated from it. Gladly would they now have been reënnexed, if it could have been done on fair and honorable terms. But the petition to that government, and the manner in which it had been managed, caused great dissatisfaction among them; so that, at the town meeting called, agreeably to the orders to Justice Green, it was proposed, and by some even urged, to have the town determine by vote, whether, or not, to acquiesce in, and comply with the petition and return. A vote on the question was not indeed taken, for one of the magistrates of Massachusetts told the people, that it would be of no avail, or, as it was then expressed, "all would be knocked on the head at one blow."

The grounds of this dissatisfaction may be briefly stated. The four towns in New Hampshire, since the seizure of Andros, and the consequent dissolution of the government, were so far independent of each other, that no one of them felt bound by any act of the others, and the circumstances of the several towns were so different, that, though the petition that had been prepared, might be proper for the people of Portsmouth, yet it was unquited to those of Hampton; that while there were in this town about two hundred male inhabitants over twenty-one years of age, this petition was signed by less than fifty persons, some of them minors, and that it was not even shown to some of the principal inhabitants, who would have readily assented to a union with Massachusetts on favorable terms; that formerly the people of Hampton had been allowed to choose their own magistrates and public officers, and they could not understand how the assistants or magistrates of Portsmouth could now exercise any authority in Hampton, when the latter town had never authorized them so to do; and lastly, that it was not competent for Massachusetts to exercise any power, or appoint any governors over this people, till authority should be given by the crown, or a request made by the town, or a majority of the legal voters thereof, neither of which had been done. From all these considerations, it was inferred, that "to be subjected to a government in the province and principally at Portsmouth, which had been so much spoken against by many in Hampton, would be very tedious." In a word, to have a government so imposed, it was feared that there would follow "distractions, heart-burnings, disobedience to the supposed commanders, public declarations, remonstrances set forth, that might reach as far as England, and so make

way for a person to be deputed by the crown, that might under color of a commission, exercise his own will." So wrote Nathaniel Weare.

Though such opinions and feelings were prevalent here, yet as a matter of prudence, it was thought best to acquiesce in what had been done, so that "all might be healed as quietly and as silently" as possible, and that this people might have peace and unity with those of Massachusetts. The New Hampshire towns were allowed to be represented in the General Court, as they had been during their former connection with that government, though it does not appear that the people of Hampton availed themselves of this privilege.

THE NEW CONNECTION SEVERED, 1692.

Agents had been sent to England from Massachusetts, to solicit from the crown a new charter for that colony, which was granted. The agents had asked that it might include the New Hampshire towns, so that their connection with Massachusetts might be permanent. Many of the people of New Hampshire were in favor of such a union. But the interests of a certain London merchant were, with king William, paramount to the interests and the wishes of the people of Massachusetts and New Hampshire, and the boon asked for was not granted. The newly formed connection was severed.

Some time previous to this, namely, March 1, 1692, the heirs of Mason had sold their interest in New Hampshire to Samuel Allen, the London merchant referred to in the last paragraph, for the sum of £750; and he now obtained from the sovereigns the governorship of the province for himself, and the appointment of John Usher, as lieutenant-governor. Nine councilors besides Usher, who was allowed a seat at the council-board, were named in the governor's instructions, and provision was made for three others to be added to the board. Three councilors constituted a quorum, though no business, except in extraordinary cases, was to be transacted, unless five at least were present. One of the councilors named in the instructions was Henry Green, and one of the three added to the board, Nathaniel Weare. These were the only members belonging to Hampton.

The popular notion that Usher was at this time son-in-law to Allen is incorrect, as proved by records:

John Usher, son of Hezekiah and Frances, was born in Boston, April 17, 1648. He married Elizabeth, daughter of Peter and Elizabeth Lidgett (who was born in the Island of Bbds [Barbadoes] November 4, 1651), on the 24th of April, 1668. She died Aug. 17, 1698, six years after Usher's appointment to the office of lieutenant-governor. About seven months after her death, Usher was married to Allen's

daughter, in Hampton, by Rev. John Cotton, pastor of the Hampton church. The marriage is entered thus on the church record of marriages :

March 11	The Honourable
1698	Jn ^o Usher Esq
	&
	Madam Elizabeth Allen

ALLEN AND USHER.

The new government went into operation in August, under the administration of Usher, the lieutenant-governor, as Allen still remained in England. Soon after, a House of Assembly was called, which convened early in October. An act had been passed in England, altering the form and the manner of administering the oaths to be taken by the members of Parliament and of subordinate legislative assemblies. Hitherto it had been customary in New England, for the person taking an oath, to use no other ceremony than that of holding up the right hand. In England, the custom was to be sworn upon the Bible. It was now required that the same form should be observed here. When the assembly met, some of the members, and among them the three deputies from Hampton, refused to be sworn in this manner. The next day, it was ordered that the oath should be administered according to former usage, to those who had refused to be sworn in the new form, "considering the present troubles and circumstances of affairs" (from hostile Indians).

Two of the members elect from Hampton, Lieut. John Smith and Mr. Joseph Smith, were sworn according to this order ; but the other, John Hussey, withdrew from the assembly, declining to qualify himself by being sworn.

A new assembly convened at Great Island, in March of the following year. The members from this town were Capt. Henry Dow, Mr. Thomas Philbrick, and Mr. Joseph Swett, all of whom were sworn.

The council appointed its two members from Hampton, Green and Weare, "to prepare & draw up a Bill for the maintenance of the ministry and school-masters." The bill drawn up by them was passed without amendment and approved by the lieutenant-governor, August 5.

It was unfortunate for Usher, that he had been connected with the late unpopular and oppressive government of Sir Edmund Andros ; and perhaps equally unfortunate, that he was known to be interested in establishing Allen's claim to the province. The people anticipated perplexities and troubles from the new claimant, similar to those to

which they had been subjected by Mason; and they were as unwilling to hold their estates under Allen as under Mason. Some of Usher's measures were approved, being in harmony with their own views and wishes. His efforts were united with theirs in defense against the Indians, with whom they had been for a considerable time engaged in a distressing and desolating war. He was also earnest in his efforts for the settlement of the boundary line between New Hampshire and Massachusetts.

The line was generally understood to begin on the seashore, at the distance of three miles north of the mouth of the Merrimac, and run parallel with that river. Still, there was much uncertainty about it, as it had never, in all its parts, been sufficiently marked out by monuments, and the river, near its mouth, flowing over a bed of sand, often shifted its channel. It was really difficult for the people who lived near the line, to know on which side of it they were; and some of them pretended to belong on one side or the other—to Massachusetts or to New Hampshire, just as it suited their convenience. Hence it was difficult to collect taxes assessed upon these persons. There were also disputes about timber cut on the common lands.

Squamscott Patent, which had been connected with Hampton about thirty-five years, was annexed to Exeter, November 29, 1692.

New Castle was incorporated as a town in 1693, and Kingston, as is described more fully elsewhere, in 1694.

Usher was forward in all these transactions, hoping thus to ingratiate himself with the people and induce them to furnish him a liberal support. Failing in this, he dissolved the assembly; and, not receiving from Allen his promised stipend, he asked to be relieved of his official cares. Usher's request, however, had been anticipated, and at the desire of the people, William Partridge, Esq., of Portsmouth, then in England, had already been appointed to succeed him as lieutenant-governor, and commander-in-chief, in Allen's absence.

WILLIAM PARTRIDGE, LIEUTENANT-GOVERNOR.

The appointment of Partridge was made known to the people, immediately after his return from England, in January, 1697. Mr. Usher, then at his home in Boston, very soon heard of the appointment; but as Mr. Partridge for some reasons had not published his commission and taken the oaths prescribed, he claimed that his own powers as lieutenant-governor had not ceased.

USHER'S HARANGUE.

Soon after this, Usher came to Hampton, and on Sunday, February 1, taking advantage of the people being assembled at the meeting-

house for public worship, he addressed them on political affairs, and gave some orders in regard to military matters, expecting his orders to be obeyed.

The proceedings of Usher at Hampton, being made known to the government, a meeting of the council was held the next Sunday, to devise means to counteract their influence. A proclamation was forthwith published, to declare Partridge lieutenant-governor, and to give public notice that Usher had no further power or authority in the province and that none were to obey his orders or warrants for the future.

The council ordered that Maj. William Vaughan take with him as many men as he can readily get mounted, to march to Hampton and Exeter, to suppress any tumult and disturbance that may happen in the province. Major Vaughan was also to cause to be published in those towns, the proclamation given to him for that purpose; to give notice to all captains, and other inferior military officers, to continue in their place until further orders; and to arrest any disturbers of the peace.

The next day, a letter was prepared by the president and council, to be sent to Lieut.-Governor Stoughton, of Massachusetts. After stating the facts given in their proclamation, they say: "But notwithstanding all this, Mr. Usher is pleased to exert his weak endeavors to give us some disturbance; to y^e end [he] appeared at Hampton on the last Sabbath day, and we hear, in the forenoon before Sermon, made a large comment on the copy of this commission. He also gave out orders to sundry officers, civil and military, to meet him at Hampton the next morning, and the two First Companies of the towne to be then in arms; but miserably failing of his expectations, he withdrew and left the Province on Monday afternoon; assuring some of his creatures that Lieut.-Governor Stoughton had promised him if he met with any opposition here, to give him assistance."

Whatever may have been the apprehension of the council, no serious disturbance seems to have resulted from Usher's visit and harangue at Hampton, or at least, none, which being seasonably met, was not easily quelled; for we have no more notice of it in the records—nothing to show that there was need of further action on the part of the board.

THE GOOD EARL OF BELMONT.

But Usher sought redress from England, by sending over a special agent to lay his complaints before the Lords of Trade; receiving from them directions to continue in office till Partridge should qualify himself, or till Richard, Earl of Bellmont, the newly appointed governor of New York, Massachusetts Bay and New Hampshire, should arrive.

Usher then came immediately to New Hampshire, in full confidence of triumphing over his opponents. But a bitter disappointment awaited him, for the next day, the 14th of December, 1697, Partridge published his commission, took the oaths and assumed the government.

This transaction must have been very disheartening to Mr. Usher, who, on his way to Portsmouth, had been so elated with his prospects, that, as he passed through Hampton, he had forbidden the people to observe a day of thanksgiving that had been appointed. This led the lieutenant-governor and the council, on the day that he entered upon the duties of his office, to order, "that the selectmen of Hampton do notify the inhabitants thereof, that the Thanks-giving day appointed by the President and Council, on Thurs-day next, be observed as has been usual in such cases." They also specially ordered that notice should be given to Mr. John Cotton, minister of the town, to "observe & keep" the day.

GOVERNOR ALLEN'S ASSUMPTION OF GOVERNMENT.

After the Earl of Bellomont's arrival in this country, but before he had come to New Hampshire, and consequently before he had entered upon the government of this province, Governor Allen came over and placed himself at the head of the administration [August, 1698]. Usher soon after took a seat at the council-board, claiming it as lieutenant-governor. His right to a seat was disputed, but the governor decided in his favor.

The assembly met in January following. At that time, two new members were added to the council, one of whom, Joseph Smith, was of Hampton. The members of the assembly from this town were Capt. Henry Dow, Lieut. John Smith and Lieut. Joseph Swett.

At the opening of the assembly, Governor Allen, having stated that he had assumed the government because the Earl of Bellomont had not arrived, advised them to send a congratulatory message to the Earl. The next day the assembly informed him, that they had done this already, and the Earl had answered them kindly and they were waiting for his arrival; intimating also that no important business would be done in the assembly before his arrival. This was not very flattering to the governor; but the assembly went farther, and specified several grounds of complaint; and especially, his having admitted Usher to a seat at the council-board, notwithstanding he had been superseded by Partridge's commission.

The decision of the governor to admit Usher to his seat, was far from being satisfactory to some of the councilors. The question was raised by two of them, Coffin and Weare, whether Usher was a mem-

ber of the council. After some altercation, a vote being taken, a majority appeared in his favor. All the old councilors, except one, refused to sit with him. The governor, indeed, forbade their departure, but his order was disregarded. Mr. Weare remarked, as he retired, that he would not, by sitting there, put contempt upon the king's commission—referring to the commission of Partridge, who had been set aside by the governor, in favor of Usher, under whose influence Allen acted.

The assembly had already voted to continue the customs and excise till the next November. They now voted that the money, thus arising, should be kept in the treasury till the arrival of the Earl of Bellomont. This was their last act. The governor dissolved the assembly after a session of three days.

The councilors had been appointed by the king, but the governor had authority to suspend any of them, whenever, in his opinion, there should be sufficient reason. If at any time, the number of councilors should from any cause be reduced below seven, the governor might appoint from the principal freeholders in the province, so many as would make up that number, and those thus appointed were to be councilors till the king's pleasure should be known. At this time, he appointed Sampson Sheafe, of New Castle, and Peter Weare, of Hampton, son of Nathaniel Weare, who had just refused to sit at the council-board with Usher. Sheafe was appointed secretary, and Joseph Smith, of Hampton, treasurer.

BELLOMONT'S BRIEF ADMINISTRATION.

The Earl of Bellomont came to New Hampshire and published his commission, July 31, 1699. This event spread joy throughout the province. The people "now saw at the head of the government, a nobleman of distinguished figure and polite manners, a firm friend of the revolution, a favorite of King William, and one who had no interest in oppressing them."

Partridge now resumed his seat as lieutenant-governor, and those councilors whom Allen had suspended, were readmitted to the board.

Allen and the people brought before the governor their respective claims and complaints, in regard to the proprietorship of the province; whereupon he advised the revival of courts of justice, in which the vexatious but important controversy might be legally decided. To this end, the necessary acts were passed by an assembly that had been called; but before the judges had been appointed, the Earl retired from the province, where he had remained less than three weeks, leaving the appointment of the judges and the administration of the gov-

ernment in the hands of Partridge, the lieutenant-governor. The Earl of Bellomont never returned to New Hampshire. He died in New York the next spring, much to the grief of the people.

COURTS OF JUSTICE REVIVED.

The courts were organized, by the appointment of John Hinckes, chief justice of the Superior Court, with three assistants; Richard Waldron, chief justice of the Inferior Court, and Henry Dow, Theodore Atkinson and John Woodman, assistants.

ALLEN'S CLAIM AND CONTROVERSY.

The court, thus organized, afforded but little encouragement for Allen to expect a favorable result, in any attempt to establish his claim as proprietor of the province. Gladly, therefore, would he have availed himself of the decisions previously given in Mason's suits; but there was a want of legal evidence that judgment had been rendered in favor of Mason, or that he had ever been put in possession of the property for which he had sued. The portion of the records of the Superior Court, needed for proof, could not be found. Allen was, therefore, under the necessity of commencing the work anew. Of course, the decisions of the courts were for the defendant. Allen appealed to the king, and the litigations went on; in the midst of which, King William died and Anne succeeded to the throne.

Then Allen petitioned the queen to be put in possession of the *waste lands* of the province. All lands, unenclosed and unoccupied, were adjudged waste lands, and Allen was declared the lawful owner of them all.

While this petition was under consideration, Mr. Vaughan, the people's agent in England, remonstrated against its being granted. Much of the land that had been long used by the inhabitants for the pasturage of their cattle, was unenclosed, and therefore must, according to the opinion of the attorney-general, be accounted waste land. The same was true of nearly all the woodland in all the towns, and of the extensive salt-marshes in Hampton, which were indispensable to the inhabitants.

But why present these facts to the consideration of the queen and her advisers? Why show them that the prayer of the petition could not be granted, without gross injustice to the inhabitants of the province? Why remonstrate against the appointment of John Usher to the office of lieutenant-governor of the province—an appointment which he was again seeking? It was all in vain. Allen "entered upon the common land in each of the towns, and took possession by turf and twig;" and Usher again came into power. Meantime, Jo-

seph Dudley had been appointed governor of Massachusetts and New Hampshire. And Allen's suits went on. Again the courts decided against him, and again he appealed.

But Allen had really become weary of the controversy, and did not wish to prosecute the appeal, if the difficulty between him and the people could be settled by mutual agreement. Many of the people, too, wished for a compromise. Deputies from the several towns, therefore, met in convention at Portsmouth, May 8, 1705, to discuss the subject, and, if possible, agree upon terms of accommodation. The deputies from Hampton, chosen the day before, were Mr. John Stanyan and Samuel Dow, who were "to join with the representatives of the province, with full power from the freeholders and the community, to discourse, debate and determine as might be most advantageous for the peace and benefit of the province, relating to Mr. Allen's claim. A few days before, the same persons had been chosen by the freeholders, to meet the convention, but had not authority to agree to any terms proposed, without first laying them before the town, to be voted upon. More ample powers were needed; and in compliance with a precept from the Speaker of the House of Representatives, they were granted, in connection with the last choice of delegates.

The delegates met in convention at the time proposed, and the next day passed the following Resolution: "That they had no claim or challenge to any part of the Province without the bounds of the four towns of Portsmouth, Dover, Hampton and Exeter, with the hamlets of New Castle and Kingston, which were all comprehended within lines already known and laid out, and which should forthwith be revised; but that Allen and his heirs might peaceably hold and enjoy the said great waste, containing forty miles in length and twenty in breadth, or thereabouts, at the head of the four towns aforesaid, if it should please her majesty; and that the inhabitants of the four towns would be so far from interrupting the settlement thereof, that they desired the said waste to be planted and filled with inhabitants, to whom they would give all the encouragement and assistance in their power."

They further proposed, in substance, to give Allen £2000 current money of New England, and 5000 acres out of the common lands in the towns and hamlets,—1500 acres of which, to be laid out in Hampton—provided the inhabitants should receive ample security forever afterward, against any further disturbance from any person, on account of his or Mason's claim. The proposed terms were to be presented to Allen for his consideration, and it was supposed that he would accept them; but his sudden death, the very next day, left the controversy still unsettled.

The following year, Mr. Allen's only son, Thomas Allen, of Lon-

don, renewed the suit, being obliged again to go over the whole ground ; but no decision was had before the death of Allen, in 1715, and this put an end to the suit, which his heirs, being minors, did not renew. The Mason claims were, indeed, revived for a brief season, more than twenty years later ; but all rights were purchased, and quitclaim deeds given to the several towns.

DUDLEY AND USHER SUPERSEDED.

Governor Dudley and Lieutenant-Governor Usher held their offices till the death of queen Anne, in 1714. During a large part of this time, a disastrous Indian war was kept up. The course of both of them in regard to the war was praiseworthy. The connection of Usher with former administrations, and his interest in Allen's claim, prevented him from gaining that popularity, which he would otherwise have attained. It is well known that he expended considerable sums from his own private fortune, to promote the interests of the province, while the compensation received for his services was very meager. He was superseded in office by George Vaughan, of Portsmouth, soon after the accession of George I, to the throne of England.

Governor Dudley resided usually in Massachusetts, coming occasionally to New Hampshire. The people of this province considered him as a "prudent, careful and faithful governor," and declared themselves "perfectly satisfied with his disposal of the people and their arms and public money." He was superseded in 1716.

SAMUEL SHUTE, GOVERNOR.

In the golden month of October, of this year 1716, a grand cortege passed through Hampton, *en route* for Portsmouth. The occasion was no less than the visit of Governor Dudley's successor in office, Col. Samuel Shute, to publish his commission as governor of New Hampshire and Massachusetts. He left Boston on Monday, the 15th, with great pomp and ceremony ; was met at Cambridge by the faculty and students of Harvard, who escorted him to the college and greeted him with an oration ; met escorts of horse and foot, and sumptuous entertainment everywhere on the route ; and arrived at Salisbury, near the province line, on Wednesday. Here he was met by Lieutenant-Governor Vaughn of New Hampshire, members of the council, sheriff and men of note, "being guarded with a troop of horse from Hampton, and after that, met by a troop of horse from Exeter, and at Hampton Town, four companies of foot were drawn up upon the common, before Captain Winget's where the Governor dined." About 5 o'clock the same afternoon, with his numerous and imposing retinue

constantly augmented, he made his entry into Portsmouth, greeted by the booming of cannon from castle and ships, the Portsmouth regiment under arms and two troops of horse. After publishing his commission, "the regiment discharged their volleys and the people their huzzas." It was a hearty ovation, for no hand lifted the veil, to disclose the inharmony of the future.

GEORGE VAUGHAN, LIEUTENANT-GOVERNOR.

A controversy, which was carried on with considerable warmth, soon arose between the governor and the lieutenant-governor, about the power of the latter, when the former was in his other province. Vaughan claimed the right, in such a case, of administering the government himself, on the ground that, when the governor was in Massachusetts, he was absent from New Hampshire, and his authority here must be suspended till his return. But Governor Shute contended that, his commission having been published in Massachusetts and New Hampshire, he was commander-in-chief over both provinces, while he had his residence in either. Each was tenacious of his own opinion and determined to maintain his pretensions. After the governor's return to Boston, he sent an order to Vaughan, probably to test his obedience, requiring him to appoint a fast. This order the latter did not obey. Governor Shute also ordered him "to *prorogue* the assembly; instead of which he *dissolved* it without the advice of council." Mr. Penhallow, one of the members of the council, very friendly to the governor, opposed the pretensions of the lieutenant-governor, with such vigor, at a meeting of the council, in September, 1717, the displeasure of the latter showed itself in a very indiscreet and angry speech, which was concluded in these words: "I suspend you, Samuel Penhallow, from sitting, voting and assisting at the council-board till his Majesty's pleasure shall be known."

As soon as Gov. Shute was informed of these proceedings, he hastened to Portsmouth, summoned the council, re-instated Penhallow, and suspended Vaughan. An account of the whole matter was sent to England and laid before the king, who soon after removed the lieutenant-governor from office.

HAMPTON'S ATTITUDE.

These transactions are so undignified and so unbecoming the character of men at the head of the government, that no account of them would have been admitted to our pages, had not a knowledge of them been necessary to a full understanding of some further proceedings

of the governor and his council, in which Hampton, in the treatment of its representatives, was particularly concerned.

Let it be borne in mind, that the dispute between the governor and the lieutenant-governor resulted from a difference of opinion, relative to the powers of the latter, when the former was out of the province. It was a nice question, and to many disinterested persons, it was not clear how it should be decided. As long as it remained an abstract question, it excited but little interest; but the acts of the two men primarily concerned, rendered a correct decision of practical importance. If the opinion of the lieutenant-governor was correct, then his act in dissolving the assembly, however unwise, was not illegal, and those who had composed that body were no longer vested with legislative powers, and in no way, except by a new election, could they be entitled again to act as a legislative assembly. Such was the view taken by the three members from Hampton, and they were honest enough to avow it. When, therefore, Governor Shute ordered a meeting of the assembly, they presented a remonstrance, setting forth their views, and declaring that they could not act with the House unless the members were reelected. For this honest avowal they were called before the governor and council, charged with a *libel*, and were put under bonds of £400 each, for their good behavior.

The governor appears not only to have required of these men bonds for their good behavior, but to have assumed the right of removing them from the assembly, to which they belonged, *if it was still a legal assembly*, and of ordering the town to make a new election. The record of the proceedings of the town is as follows:

"Voted, that whereas wee of y^e Town of Hampton did elect Colo^o Joseph Smith, Major Peter Weare and Mr. John Tuck our Representatives to sitt in Generall Assembly, which Assembly was dissolved by his majesties Lieut Governor Vaughan, as appears to us of Record; and now having Received a precept from his Excellency Gover^r Shute for a new choice to joyne with y^e said Assembly dismis'd as aboves^d; In Answer to which, wee say, if y^e Representatives of our Town are dismist, the whole are dismissed; And wee humbly declare wee are of opinion not to joyn Assembly men with such as are not Legally chosen and quallified."

Such was the action of the town; and is not the view taken, correct? By his commission, the governor had authority to suspend or remove any member of the council, and to prorogue or dissolve the assembly; but to deprive any particular members of their seats in the popular branch of the government, is a very different matter, and is entirely inconsistent with the liberties of the people.

JOHN WENTWORTH, LIEUTENANT-GOVERNOR.

Vaughan's controversy with his superior was productive of no good to himself. On the contrary, as we have seen, it opened the way for his own removal from office. John Wentworth was his successor. His commission was published near the close of the year 1717. He was born in the province, and had been a member of the council. For more than five years after he was appointed lieutenant-governor, he had but a small share in the administration; but in 1723, at the departure of Governor Shute for England, he was left at the head of the government. This was during the war with the Indians, known as *Lovewell's war*. So prudent was his management in this war, that his course was approved, and he gained the affections of the people.

In May, 1727, Mr. John Redman, a representative from Hampton, having resigned on account of age and feebleness, the House, "Considering the great age and infirmness of the Said Mr John Redman Tho he hath been a Serviceable member of this house — Resolved — That according to his Request he be Dismissed." Capt. Joshua Wingate was chosen his successor.

The date of Mr. Redman's birth is not known, but he was married in 1667, and was probably over 80.

After the death of king George I, in June, 1727, the assembly of New Hampshire, chosen about five years before, was in consequence dissolved, and writs for a new assembly were issued in the name of George II, his successor. The new assembly met about the middle of December. The members from Hampton were Nathaniel Weare, Esq. (of the Falls parish), Capt. Joshua Wingate and John Sanborn, the first of whom was chosen speaker. An act was passed and approved by the lieutenant-governor, by which the existence of that and of succeeding assemblies was limited to *three years*, the magistrate at the head of the government having power to dissolve the assembly sooner than that, if he should deem it expedient. In consequence of a controversy between the two Houses, Lieutenant-Governor Wentworth prorogued, and soon after dissolved, the assembly.

A new assembly being called, it was found that nearly all the former members had been re-elected. They again made choice of Nathaniel Weare for their speaker. The lieutenant-governor negatived the choice and ordered a new election. The House adjourned from day to day without transacting any business. At length, on the ninth day of the session, the House passed a resolution, that they regarded it as an infringement of a privilege that they had always enjoyed, for the lieutenant-governor to disallow their choice of speaker, considering it.

"their undoubted right to choose their speaker, and that the confirmation thereof is only of course." They further resolved — most of them having been members of the late assembly, of which Mr. Weare had been the speaker—that they must justify him in his proceedings in that assembly, believing that he acted uprightly, and for the good of his country, and they still had confidence in him as a suitable person for the office to which they had elected him. But as Mr. Weare was then desirous to be released from serving as speaker, they would grant his request and choose another person to fill the office.

Andrew Wiggin, Esq., was then chosen speaker, and the choice was approved by the lieutenant-governor; but throughout the session there was a want of harmony between him and the House.

WILLIAM BURNET, GOVERNOR.

In 1728, a bill, providing for the annual payment of £200 sterling, or £600 in bills of credit, to William Burnet, the newly appointed governor of Massachusetts and New Hampshire, being before the House, it was passed by the casting vote of the speaker — the three members from Hampton voting in the *negative*.

JONATHAN BELCHER, GOVERNOR.

Governor Burnet came to New Hampshire in September, but soon returned to Massachusetts, and not long after, died.

Mr. Jonathan Belcher, of Massachusetts, was the next governor, his authority extending over both provinces. On his first visit to New Hampshire, in 1730, he was hospitably entertained by Lieutenant-Governor Wentworth, the most friendly feelings seeming to exist between them. But circumstances, which it is not necessary here to detail, soon wrought an entire change, so that the most bitter opposition prevailed between them. Mr. Wentworth himself was, indeed, soon removed by death; but his friends continued active in the unhappy controversy. His successor in office was Col. David Dunbar, a native of Ireland, — a man most unfriendly to Governor Belcher, and ready to unite with the Wentworth party, in measures to embarrass his administration.

One subject, on which the two parties were at variance, was the question, whether New Hampshire should be annexed to Massachusetts, or entirely separated from it in the administration of its government. The governor and his party favored the former cause, and were consequently not very desirous to establish the boundary lines between the provinces; while the other party wanted New Hampshire to have a separate government; and they were anxious for a speedy adjust-

ment of the lines, and that too, in a manner as favorable as possible to this province. The governor, however, urged upon the Legislatures of both provinces, to adopt measures for establishing the lines. This was done, not so much in accordance with his own feelings, as in compliance with instructions received from England.

CHAPTER VII.

THE BOUNDARY LINES. 1639-1742.

SOON after the settlement of Hampton, a controversy arose with Salisbury about the line between the two towns, which was the beginning of a controversy between New Hampshire and Massachusetts, that vexed the colonies continually and has but recently ended. These towns were granted about the same time, and it was intended that the southerly boundary of the former should be at the distance of three miles north of the Merrimac river, while the latter should embrace all the territory between Hampton and the river. At the same session of the General Court, in which Mr. Bachiler and his company had obtained permission to form a plantation here, measures were taken to run out and establish this line. The court appointed for this purpose Goodman Woodward and Mr. John Stretton, who were to be aided by an Indian, probably as a guide, and two other men to be selected by the magistrates of Ipswich.

Not long after, Mr. Bachiler received from the town of Hampton a grant of 800 acres of land for a farm, to be laid out adjoining to the Salisbury line. But from some cause—whether through any fault of the court committee, or of the lot-layers of Hampton, does not appear,—a small portion of this farm lay on the southerly side of what Salisbury claimed as the true boundary of the towns. Perhaps, however, the difficulty arose without any fault on the part of committee or lot-layers. The Merrimac, near its mouth, passes through an extensive bed of sand; and its channel and course are often altered more or less, through the influence of storms and tides. From change thus produced, this protracted controversy about the boundary lines may have arisen. The subject was frequently brought to the notice of the General Court by petitions, sometimes from one of the towns and sometimes from the other. Committees were appointed in several instances, and sent out by the court, to view the line and hear the statements of the parties; but the reports of the different committees were almost as discordant as the views of the people of the two towns.

The first committee, appointed after the settlement of the towns had actually begun, was in 1640, as already related.¹ Both towns

¹ pp. 22, 23.

seemed to be satisfied with the report of this committee, *as they understood it*; yet they put upon it so different constructions as to furnish matter of dispute for many years. Hampton claimed a straight line from the river's mouth to the uppermost, or southwestern corner of Mr. Bachiler's farm, and Salisbury contended that it ought to run straight to the lower, or southeastern corner, and then the southerly side of the farm to be the line between the towns from end to end of the farm. Concerning the upper part of the line, there was at that time, no controversy.

On the 16th of May, 1654, the town of Salisbury petitioned the court, setting forth that the report of the former committee needed explanation, and asking the court to hear their cause, and "so make a full and snall determination as itt shall seem best to their goodly wisdomes." In October following, the court, in answer to this petition, judged it "requisite that the Towne of Hampton, should have legal notice to answer and make theire claimes and defense before any further proceedings in the case."

The next spring, May 15, 1655, acting under a general order of the court for all the towns in the colony to lay out the bounds of their respective towns, committees from Hampton and Salisbury met and appointed Mr. Seth Fletcher to act as surveyor, and ascertain the course of the Merrimac, and to lay out the line on the same point of the compass from the most southerly part of Mr. Bachiler's farm westward to Haverhill, which was the western limit of both Hampton and Salisbury. The course was found to be west, half a point northerly, and the line was run accordingly, to the mutual satisfaction of the parties.¹ The lower part of the line was left undetermined.

The next autumn, the court appointed and impowered Mr. William Payne, Mr. Edward Woodman and Mr. Matthew Boyes to settle the difficulty.

April 15, 1656, the line being still in controversy, the people of Hampton resolved to prefer a petition to the next General Court, for relief "aboute the lower part of the line and the farmes of Hampton w^{ch} Salisbury lay claim to." William Fifeild was chosen a messenger to Mr. Dudley, to request him to prepare the petition. On the first of May, Fifeild was also chosen agent to the General Court, and fully impowered to manage the business in behalf of the town; and to employ such assistance as he and Henry Dow, the town's deputy, might think proper.²

The petition, presented at the next session of the court, which began on the 14th of May, was answered by an order, that Mr. Sam-

¹ Hampton Records.

² *Ibid.*

uel Dudley; with the former committee, or any two of them, should again investigate the subject, make their report to the next General Court and accompany it with a "Plat draune & signed by some Artist." The expense, in this case, was to be borne by Hampton.¹

The committee failed to act, or, at least, to make any return of their doings to the court; and in October, 1656, the court "ordered that Capt. Bryan Pendleton, Mr. George Gittings, Rob^t Lord and Ensigne Howlet, or any three of them, shall be a committee to settle all differences betweene the two townes in reference to theire bounds according to the last order of this Generall Court, making Retourne thereof to y^e next Court of Elections."²

Their return, dated April 7, 1657, states, that having been upon the place and viewed the ground, and heard the allegations on both sides, the committee, acting according to their best skill and understanding, agreed, "that the boundary line should run from the bound tree, standing by y^e Rode way in the corner of Mr. Bachiler's farm, from thence upon a strate Lyne to the middle of Hampton Riuer mouth, only aloweing forty acres of marsh meddow unto the Towne of Salisbury on y^e North syde of the sayd Lyne adioyning to the sayd Lyne and upland."

May 6, 1657. The people of Salisbury appear not to have been satisfied, and they again petitioned the General Court for further action. "The Court judged that the bounds referred to in the Petition were 'not yet perfected & legally settled,' especially as a former order of the Court, requiring 'a true platt signed by some Artist' had not been complied with, so that the work was 'not orderly finished, nor the returns fit to be recorded.'" For these reasons, the court appointed five commissioners to act in the case, according to former orders of court, their action "to stand firme & good, Provided that Capt. Nicholas Shapleigh of Charles-Towne be procured by the parties to Asist the comissioners in drawing out a platt and ruining the lyne according to their direction; the chardge of the Comissioners to be borne equally by both Townes—And the Artist to be payd by Salisbury only; and that a true Retourne be made of what is donne herein, to y^e next session of this Court to be ratified and confirmed."³

The return of these commissioners, omitting the preamble, is as follows:⁴ "That the bounds betweene the two Townes menconed towards the sea is [ure] to be upon a straight line beginning at the middle of Hampton Riuers mouth and Ruining upwards unto a marked

¹ Prov. Pap. I: 231.

² Mass. Rec.

³ *Ibid.* III: 423.

⁴ Prov. Pap. I: 231.

tree being and standing at the uppermost corner of the farm commonly called Mr. Bachiler's farm—the sayd line to Runne upon a west north west point of the compasse nearest, and the said lyne being so Runne by both Townes & marked out according as Capt. Shapleigh hath now draune the platt, wee Agree upon consideration of all pleas, that the Towne of Salisbury shall haue and enjoy thirty acres of marsh on the north side of the said line towards Hampton at the lower end of the said line to be layd out by both Townes and Adjoyning to the line; Also for the upper line into the woods, wee determine that the line shall runne from the marked tree before mentioned upon a west and by North line nearest according as Captaine Shapleigh hath given in the line of the treading of Meremacke Riuer, the which wee conclude to be the bounds betweene the said Townes unto their utmost extent towards Hauerill; wee doe further declare that what marsh the Towne of Salisbury hath laid out to any of their Inhabitants, that shall fall within the lyne aboue menconed towards Hampton, they shall enjoy and so much more as shall make up the whole thirty acres, to be laid out belowe the proprieties, if there to be found, or els aboue, Joyning to the line, and this wee giue as our determination in the buisnes to us comitted concerning the p'mises.

Witness our hands this 3d day of the five mo: 1657.

John Appleton
Joseph Medcalf
Wm. Bartholemew
Dan. Pearse."

"It is ordered that the Retourne of the committee above menconed wth this Court Allowes & Approves of shall stand, & be a finall determination of y^e case in controversie betweene the two townes."

This settled the bounds between Hampton and Salisbury, both towns, it must be remembered, in the jurisdiction of Massachusetts. In 1667, the "upper line into the woods" was perambulated by committees of the townes, whose report is as follows:

[*Salisbury Records*. p. 182.]

Bee it known unto all men by these presents that wee hoes names are under written being chosen Commissioners for ye Town of Sallsbury & the Town of Hampton to run the Line between the two Townes afore said Accordingly we have Run ye Line and agreed that from the Bound tree att ye corner of Mr. Bachellers farme formerly so called the bounds shall run to a tre marked with S: on ye north Side of the way nere the place called the Hawkes nest, so to run to ye Tree mrked att ye west end of the new meadows which is said to be marked by Capt. Shaply, this is agreed upon, upon condition that the Town of hampton, or any of ye Inhabitants of ye Towne shall Injoy Eight

or ten acres at the place called the hawkes nest, if it be already granted by ye town of Hampton aforesaid & from the tre marked at ye westerly end of ye new meadows, we have run the Line to a tree marked with S. H. at the southerly side of Shelter hill from thence to a tree marked with H. S. on the North side of Ledg hill, near Powaus River, from thence to a tree marked with H. S. at ye head of powwaus River by ye pond and so it Runs Threw a seder swamp to a marked tree by the side of ye pond & so ye Line Runs over part of ye Pond to a tree marked with S. H. on ye hill in site of the medow, nere the way that goeth from Exetor to haverhill & from thence to a tre marked with H. S. by stonny river and from thence to a tree marked with S. H. on the south side of hurtellberry meddow: from thence to a tre marked with H. S.; on the top of a stony hill; which lieth aboute two or three miles to the westward of yt pond which is ye hed of ye pawwaus River; in witness hereof the afore sayd commissioners have Enterchangably set too there hands this twenty ninth day of Aprill one thousand six hundred sixty and seven.

ANDREW GREELE
WILLIAM BUSWELL
WYMOND BRADBURY

HENRY ROBY
NATHANELL WARE
JOHN REDMOND

The bound rock may still be found in Hampton river-mouth, marked "A. D. 1657, H. B." The Bachiler tree stands near the site of the brick school-house, formerly in Seabrook village, on the Newburyport road. The letter "B" is plainly visible on it. All the points are clearly identified to this day.

The same year (1667), the "Haverhill Northwest Line," so called, between that town and "Salisbury new town" (Amesbury) was established, beginning near Holt's Rocks, where Rocks bridge now spans the Merrimac, and running a straight northwest course.

Mr. Fred. B. French, of South Hampton, to whom we are indebted for many official papers concerning these boundaries, says: "For a long time, the last point, to 'stony hill' [mentioned in the return of the commissioners of 1667], was all I found concerning the extent of the Shapley line. But, being in Concord, I examined the charters and plans of old towns, and found the long-looked-for information. The plan of Hampstead, returned in 1749, shows Shapley's line extending westerly to Angle Pond; also shows the line from Holt's Rocks, that is, the 'Haverhill Northwest line,' meeting the Shapley line in Angle Pond."

This gives us the full extent of Shapley's line, and shows that both Hampton and Salisbury extended from the Ocean westward, to its intersection with the "Haverhill Northwest line."

We have seen (Chapter V), that when New Hampshire was declared a royal province, Massachusetts was forbidden to exercise authority over "the towns of Portsmouth, Dover, Exeter and Hampton, and all other lands extending from three miles to the northward

of Merrimac river, or any part thereof, unto the province of Maine." That is, the Shapley line, first established as the boundary between the towns of Hampton and Salisbury, became also, with the promulgation of the new government, in 1680, the boundary between the provinces of New Hampshire and Massachusetts. Thus arose new complications, as during the administration of Lieut.-Gov. Usher.

TOWN LINES.

Meanwhile, perplexities had arisen within this province, respecting the boundaries of the several towns.

June 18, 1701, the House of Representatives passed a bill, designed to quiet landholders in the possession of their lands, though town lines should be altered.

Two days later, a committee of four, of whom Capt. Henry Dow was one, reported on the bounds of Hampton, as defined by papers examined.

In July, another committee, Vaughn of Portsmouth, Gilman and Leavitt of Exeter, and Dow and Tuck of Hampton, appointed to run the Exeter and Hampton line, made their report.

August 5, the selectmen of Hampton sent a petition, which suggests the probability that alterations had been intended in her boundaries. If so, the petition was respected; for an act, passed soon after, left the boundaries unchanged. The petition stated that, though it had long been the desire of the people of Hampton that the bounds of the town might be settled, yet it was that it might be according to the former settlement, by the General Court at Boston fifty years before; but that now, a committee, appointed by the court, had run a line from Winnicut river mill to the old bound tree by Ass brook, which would be very injurious, if confirmed, because, in 1670, several men had lots granted, "beginning within two miles of Exeter old meeting-house, so all the way to the sea-side;" and these lots had been again laid out and confirmed in 1700, and some of them had "been bought and sold and deeds made of the same;" but this line lately run, would take off from Hampton "all the whole lotts of some and part of other some to y^e number of about 40," besides some lots of meadow ground. Therefore they prayed that the old bounds might be confirmed by a law—in other words, that a charter might be granted.

The Act referred to was passed September 12, 1701,¹ entitled: "An Act to prevent contention & controversie that may arise concerning the bounds of the respective Towns wthin this Province."

¹ Prov. Pap. III: 228.

Then are described the boundaries of the several towns—those of this town, as follows, constituting

THE CHARTER OF HAMPTON :¹

“Be it Enacted by the Lieutenant Governour, Council and Representatives Convened in Generall Assembly and by the authoritie of the same that the line between the Province of the Masichusitts Bay and New Hampshire ffrom the sea westwardly shall be the southerly Bounds of the Towne of Hampton. And the northerly Bounds as folowith (viz.) five mile Due north from Hampton meeting House to a marked tree att or neare Winicot River and thence westerly on a direct line to a marked tree within two miles of Exeter meeting House and thence on a direct line to A marked tree near Ass Brook by the highway and thence on a direct line to an ould bound tree marked A mile and A half south from Exiter ffalls and thence upon A west by north line as far as the utmost extent of Salsbery Towne Bounds westwardly And thence to Run a Headline southwardly till it meet with the afforesayed bound line Between the Province of Masichusitts and New Hampshire. The Bounds by the Sea Eastward from Hampton meeting House to beginn ffrom y^e Causey and thence to Run five miles along shore by the High way which is supposed to end about Joslings Neck² and thence on a direct line westwardly to the Bound tree five mile north of Hampton Meeting House.”

On the same day with the passage of the above Act, another Act was passed, providing that all grants of lands made by citizens, selectmen or committees of towns, should be held good and valid to the grantees.³

Again, December 3, of the same year,⁴ the Council appointed, to run the town lines in the province, a committee of three from each of the four original towns, those of Hampton being Nath'l Weare, Esq., Capt. Henry Dow, Ephraim Marston. They made return, May 29, 1702:

“And we measured ffrom Hampton Casway according to order five miles along shore And piched a stake by the Edg of the meadow

¹These are the bounds of the *original* town,— the grant of Kingston (incorporated in 1694) being considered forfeited, because the few settlers “did for some pretences or other withdraw and remove in a disorderly way from said Kingstown.” Upon a petition for the re-settling of the town in 1705, leave was given them to renew their grant, on condition that not less than thirty families return, provide a parsonage and settle a minister. [Prov. Pap. ix: 433.]

²“Which line being run ended on the edge of Jocelyn's Neck, on the north side.” [Return of Committee of Hampton and Portsmouth, 1655.]

³Prov. Pap. iii: 228.

⁴*Ibid.* ii: 260.

ground and Layd stons about sayd stake. And we run the line from Hampton Bound tree five mile north of there meeting-house upon a East South East point one quarter southerly and marked the trees to sayd stake by the Beach five mile ffrom Hampton Casway. And we run the line from Sampson's Point according to New Castle Charter and marked the trees to the line between Portsmouth and Hampton to a Bound tree" which said tree "is the bounds between Portsmouth, Hampton & New Castle. Then we run an East line to the sea or beach to a stake by the side of a Pond between Raggie Neck and Sandy Beach" &c.

"Ordered in Council: that the persons who run the said lines be paid for their care & Deligence out of y^e Publick Treasury each person 8^s per diem."

And still the border troubles continued. In July, 1702, the petition of several inhabitants of Hampton was sent to the council board, Governor Dudley being present, "relating to their paying Rates to this Govern^t and the Massachusetts, praying relief therein;" an attested copy of which was ordered sent to Boston, for the governor's consideration on his return. Meanwhile, the constables of Hampton were to be instructed "to make no distress upon said inhabitants," the governor promising to give the same order at Salisbury. That no permanent good resulted, is seen by complaints stretching over many years:

Ephraim Eaton of Salisbury testified "y^t on y^e 28th day of April, 1720, Mr. Nathan Longfellow, Constable of Hampton, demanded a Province rate" of him, and on his refusal to pay it, carried him a prisoner to Portsmouth.

John Webster stated that, May 10, Longfellow demanded a rate from him, and took his horse, which he redeemed.

Andrew Greeley, Jr., said that, about June 1, Longfellow took his horse, and never gave him any account of what he did with him.

In the midst of these contentions, the border territory on the New Hampshire side was severed from Hampton and incorporated as Hampton Falls; but, the separation being only partial for a long series of years, the old town was not out of the contest; and the interconnections of the several towns then and afterwards existing along the disputed lines were so intimate, it is essential to trace yet further the course of the controversy.

In September, 1731, a committee from each of the provinces met at Newbury, to discuss, and if possible adjust the whole matter; but

nothing effectual was done.¹ Failing, therefore, to make any satisfactory arrangement with the other province, the New Hampshire assembly determined to lay the whole matter before the king, and petition him to end the controversy.² Mr. John Rindge, a merchant of Portsmouth, was appointed as agent, to carry this plan into effect.³ His petition, presented agreeably to the vote of the assembly, was referred to the Board of Trade, and a copy given to the agent of Massachusetts.⁴ The question was raised, and the opinions of the attorney-general and the solicitor-general requested, from what part of the Merrimac river the line should begin. They reported, "that according to the charter of William and Mary, the dividing line ought to be taken from three miles north of the mouth of the Merrimac River where it runs into the Atlantic Ocean." Having furnished each party with a copy of this opinion, the Lords of Trade reported, June 5, 1784, that the king should appoint commissioners from the neighboring provinces, to mark out the dividing line.⁵ This report being approved, it was decided that the commissioners, twenty in number, should be appointed from the councilors of New York, New Jersey, Rhode Island and Nova Scotia, and that five should be a quorum.⁶ They were to meet at Hampton on the first of August, 1787, and to proceed *ex parte* if either province failed to present its claims.⁷ The course of proceeding was fully marked out and the parties notified.

Eight of the commissioners met at the time and place appointed, and, after hearing certain statements from the parties, adjourned for one week.⁸ They met again according to adjournment, and two days afterward, August 10, the Legislatures of the two provinces met, by adjournment, in adjoining towns and within five miles of each other; that of Massachusetts, at Salisbury, and that of New Hampshire, at Hampton Falls. "A cavalcade was formed from Boston to Salisbury, and the governor rode in state, attended by a troop of horse. He was met at Newbury ferry by another troop; who, joined by three more, at the supposed divisional line, conducted him to the George Tavern,⁹ at Hampton Falls, where he held a council and made a speech to the Assembly of New Hampshire.¹⁰

As, after all this pageant, the commissioners failed to establish the

¹Prov. Pap. IV: 611.

²Ibid. IV: 612.

³Succeeded by John Thomlinson, of London.

⁴Prov. Pap. IV: 849.

⁵Ibid. IV: 850.

⁶Ibid. IV: 705, 854.

⁷Ibid. IV: 850; V: 921-2.

⁸Farmer's Belknap, 341-3.

⁹On the site of the late Cyrus Brown's, at the Hill.

¹⁰Farmer's Belknap, 344.

southern boundary of New Hampshire, in which Hampton is more immediately interested, their lengthy report has no place here; nor is it worth while to enquire into the conduct of Governor Belcher, in the matter, marked, as his enemies, at least, alleged, by great unfairness towards New Hampshire.

In relation to the boundary, the commissioners mentioned a doubt in point of law, that had arisen in their minds, and referred the matter to the king in council.¹ The result was,² that, when it was thus considered, August 5, 1740, it was determined: "That the Northern Boundaries of the Province of the Massachusetts Bay, are and be a similar curve line Pursuing the course of the Merrimack River, at three miles distance, on the north side thereof, beginning at the Atlantic Ocean and ending at a point due north of a place in the plan returned by the said Commissioners, called Pawtucket Falls, and a strait line drawn from thence due west, cross the said river till it meet his Majesty's other Governments. It is therefore his Majesty's Will and Pleasure, and you are hereby required and enjoined under pain of his Majesty's displeasure, and of being removed from your Government" to have the line established in this manner as expeditiously as possible, and to communicate this instruction to the councils and assemblies of both provinces.

Addressed to "Jonathan Belcher Esq. Captain General in Chief in and over his Majesties Province of the Massachusetts Bay, in New England."

Governor Belcher had *professed* a strong desire to have the boundary question settled. He had openly exonerated New Hampshire from blame; for, more than six years before this date, he had written to the Lords of Trade:³ "Although, my Lords, I am a Massachusetts man, yet I think this Province alone is culpable on this head. New Hampshire has all along been frank and ready to pay exact Duty and Obedience to the King's Order, and have manifested a great Inclination to Peace and good Neighbourhood, but in return the Massachusetts Province have thrown unreasonable Obstacles in the way of any Settlement, and altho' they have for 2 or 3 years past been making offers to settle the Boundaries with New-York & Rhode-Island, in an open, easy, amicable way, yet when they come to settle with New-Hampshire, they will not do so with them, which seems to me a plain Argument that the leading men of the Massachusetts Assembly are conscious to themselves of continual Incroachments they are making upon their Neighbours of New-Hampshire, and so dare not come to a Settlement."

¹Farmer's Belknap, 246.

²Ibid. IV: 649.

³Prov. Pap. VII: 231-6.

Whether the governor, with these convictions, was bribed for his course at the time of the commission (as was hinted), or why he espoused the Massachusetts cause, is of no present consequence. The king's peremptory orders and threat impelled him now to instant action, and he presented the case, in its urgency, to his Massachusetts government; but that body maintaining its old policy of delay, the governor applied to New Hampshire. The council and assembly, in their reply, deprecated the unfairness of the Massachusetts government, in having obstructed the decision of the matter for thirty years; expressed the opinion that, since the Instructions were directed to His Excellency, as governor of Massachusetts only, it was not the king's intention that New Hampshire should bear any part of the cost; but said that nevertheless, they had unanimously voted £500 for the work.¹

A few days later, the governor asked for the nomination of suitable men, from among whom, he might appoint surveyors; saying that, although this affair was under the absolute direction of the king's governor, yet he would like their advice.²

Thereupon, three surveyors and assistants were appointed, for the three divisions of the work. The survey along the course of the Merrimac river, the only portion which concerns this History, was entrusted to George Mitchell, Esq.³

Mr. French says: Briant and Hazen made reports of their doings; but of Mitchell, for a long time, we had no report—all was lost. Efforts were made at the State Houses in Concord and Boston, to find reports or maps, but none could be found. In England we had better results; for there Mitchell's map has at last been discovered; so that now, we have "Mitchell's Line" as an official document.⁴

The king's determination of the boundaries, Dr. Belknap says, "exceeded the utmost expectation of New Hampshire; as it gave them a tract of country, fourteen miles in breadth and above fifty in length more than they had ever claimed. It cut off from Massachusetts twenty-eight new townships, between Merrimac and Connecticut rivers, besides large tracts of vacant land, which lay intermixed; and districts from six of their old towns on the north side of the Merrimac."

The town of Salisbury, as originally granted, extending, like Hampton, westward to Haverhill, had before this date, become the two towns of Salisbury and Amesbury, from both of which, districts were cut off by this decree of the king. It would seem that Hampton, under the Act of September 12, 1701, defining her southern boundary as "the line between the Province of the Massachusetts Bay and New Hampshire

¹ Prov. Pap. v: 76.

² *Ibid.* v: 78.

³ *Ibid.* v: 82.

⁴ Described in McClintock's N. H., 184.

from the Sea westwardly," might claim these new districts; but this Act, and the one relating to land grants, of the same date, though held binding by the people, had been disallowed by the king, because they did not recognize the claims of Mason's heirs. That Hampton did not attempt to possess herself of this territory is evident from the action of its inhabitants and of the government.

On the 3d of February, 1742, the council and the House chose a joint committee of six, "to prepare a bill for bringing the Poles and Estates into a Province Tax w^{ch} falls within this Province by his Maj^{ties} late Settlement of the Province Lines, and which have not as yet been Taxed within this Province."¹

Eight days later, a petition was presented to the council and assembly,² "praying for a Township to be incorporated out of those partes of Salisbury and Almsbury which fall within this Province as pr bounds mentioned in s^d Petition." An address,³ signed by twenty-eight men of the east part of this district, that "now by the Settlement of the Province Lines fall into New Hampshire," had already been sent to the governor and council, humbly showing "that your petitioners are Informed that those which did belong to the westerly Part of Salisbury and some of Almsbery which by said Line falls into New Hampshire Intends to Petition that all those Persons that did belong to Salisbury and Almsbery & are now taken into New Hampshire might be made in to a town ship or Parish by themselves & not annexed to any other, and have Presumed so far as to set up a frame for A Meeting House in the Westerly Part which if it should be granted would be very Pregonedital to your Petitioners," because they live more than six miles away and could not attend the worship of God. "They therefore pray that they may not be joined to them, but may be annexed to Hampton Falls."

The committee chosen to draft a bill for taxing the new districts reported, and the bill was passed, on the 18th of March. It applied to persons and their estates within this province, not yet incorporated into townships and that have never paid their proportion of the charge of supporting this government. It provided that "s^d polls and estates shall be divided into certain Districts; and that part of Salisbury and Almsbury, so called, which by the settlem^t of the afores^d Boundaries falls within this Province shall be, & hereby is made one District." The other districts were defined and regulations made for organizing them and for assessing and collecting the taxes. A committee of three were appointed to call first meetings.⁴

¹ Prov. Pap., v: 141.

² *Ibid.* v: 601.

³ *Ibid.* ix: 288.

⁴ *Ibid.* v: 163-5.

In May, this committee made their report, which, for the Salisbury district begins as follows: "Ap^r 11th. Wee of the Comittee opened the meeting att a place call'd Loggin Plain at the meeting house there Between Salisbury and Amsbury being by Information about 28 miles distant from Court."¹

A few days after the report of the committee, namely, on the 25th of May, 1742, the pending petition for a township was granted, in the incorporation of South Hampton; including all the territory between the Shapley and Mitchell lines, from the sea westward, to a south line from a "white pine stump" on the Shapley line, "excepting the Lands, Estates & Poles" of the twenty-eight petitioners above-mentioned, "who are hereby annexed to the Parrish of Hampton Falls & in all Respects incorporated into the Parrish of Hampton Falls."²

One cannot fail to remark, in this instance, as in many another place and time, how tenaciously this "Parrish" and the parent town clung together; for here, in 1742, twenty-four years after what is commonly regarded as the Act of Separation, it is decreed that South Hampton shall extend from the sea northerly "to the bounds of that part of the town of Hampton called Hampton Falls."

In September of the same year, eight men of the east part of the town, and shortly after, two more, petitioned to be set off to Hampton Falls; and in November, it was decreed that the line between Hampton Falls and Kensington be extended to the province line, and that all the inhabitants and their estates of South Hampton, east of the extension, be annexed to Hampton Falls, to all intents and purposes, except for repairing highways and paying the province tax.³

This exception led to complications and difficulties, which continued till 1795, when an amicable adjustment was made,⁴ the southern part of Hampton Falls having meanwhile, in 1768, become the town of Seabrook, holding all the rights, privileges and burdens of the former town in the disputed territory.⁵ In 1822, an Act was passed, cutting off from South Hampton all lands east of the Kensington line and joining them to Seabrook, which town then acquired its present limits.⁶

Thus have we shown, from official documents, the fallacy of the popular opinion, which places South Hampton within the original limits of our ancient town.

¹ *Ibid* v: 185.

² Original Charter So. Hampton, town clerk's office.

³ Prov. Pap. ix: 763-3.

⁴ So. Hampton Records.

⁵ Prov. Pap., ix: 878.

⁶ N. H. Pamphlet Laws.

CHAPTER VIII.

TOWN AFFAIRS — KINGSTON. 1680-1707.

MARSHES DIVIDED INTO SHARES.

WE shall now resume our narrative of *town affairs*, from the close of Chapter III, where it had been brought down to the time when a royal government was about to be established in New Hampshire.

Near the close of the year 1680, a new feature was introduced into the management of the common meadows and marshes, which, *historically considered*, is important, as indicating progress. Hitherto, the sweepage of these grounds had been controlled by the town, the income from them being divided among the proprietors, in proportion to their several interests. It was now ordered, that they should be divided into shares, and assigned by lot to individuals, according to their respective rights, to be held for six years, and then exchanged, or rather a new assignment made for the next six years, and so on, till a different arrangement should be agreed upon. The meadows, however, were still to lie unfenced, as before.

Henry Roby and Sergt. Joseph Dow were appointed to lay out these common lands into shares, and it was agreed, that those persons to whom Alder Meadow and Hassocky Meadow¹ should fall, might have the privilege of clearing them by *flowing*, or in some other way, at their option. As both these meadows lay on Nilus brook, it would be easy to flow them by building dams across that stream at the lower side of each.

TWO BOARDS OF LOT-LAYERS.

The next year, on the 21st of March, a new arrangement was agreed upon and adopted, in the choice of measurers of land, or lot-layers. Hitherto, only one board had been chosen, and that for the whole town; now, two sets were chosen, one for that part of the town lying

¹ Alder Meadow lies on the upper road to Little river, commonly called the *Lobb's Hole road*; and extends thence easterly to the Twelve Shares, so called.

Hassocky Meadow is that, on the border of which, a shingle-mill formerly stood, on the road to Little river, which begins at the school-house in the east part of the town.

north of Taylor's river, and the other for the part lying south of that river. Lieut. John Sanborn and John Tuck were chosen for the north side, and Thomas Philbrick and Edward Gove for the south side.

SAMUEL DALTON'S DEATH ; A NEW TOWN CLERK CHOSEN.

In the latter part of the summer of 1681, the office of town clerk became vacant by the death of Samuel Dalton, who had held it from his first election in 1658, a period of almost twenty-eight years, without—as far as it appears from the records—being at any time reelected. But now, it becoming necessary to make a new choice, on the 18th of October, Henry Dow was elected, who was “carefully to keep the Town Books and Records ;” and Lieut. John Sanborn and Mr. Henry Roby were appointed to go with him, to see that the books were received from him who had the custody of them after the death of the recent incumbent.

“TROUBLOUS TIMES.”

While Cranfield and Andros were at the head of the government, that is, from the fall of 1682 to the spring of 1689, there were “troubulous times.” The policy of these governors would not allow the people to assemble often in town meeting, nor was it considered safe for the clerk to make a record of all the transactions of the town, when met. Under such restrictions, but few entries were made on our records, during these administrations. It has, indeed, been handed down by tradition, that records were kept during this time, but were either lost or embezzled. It has also been stated that, near the beginning of 1683, there was “a town meeting at Hampton, when a new clerk was chosen, and their records secured.” This statement appears not to be entirely correct. At the meeting referred to, January 24, it was voted that the *trustees*—another name for selectmen—should have the keeping of the Town Records for the ensuing year ; and Henry Dow, the town clerk, at the same meeting “delivered the records to the town, and the town delivered them to the Trustees.” This statement is found in the records, in the handwriting of John Tuck, one of the trustees. But records of births, marriages and deaths, the only records made for several years, were still in the handwriting of Henry Dow, who continued to be town clerk till his death, in 1707.

TOWN RECORDS SECRETED.

The town meeting above mentioned was held under peculiar circumstances, very unfavorable to cool deliberation. It was only about four days after the dissolution of the General Assembly, by Governor

Cranfield. The representatives had just returned home under great excitement, to rehearse to the people the unprecedented act, and one of them, to raise the standard of rebellion. It was the proceedings of this meeting, that Edward Gove published, as he went from town to town, to arouse the people to active opposition to the governor.¹ Just what these proceedings were will probably never be known, as it would have been perilous to record them. But with regard to securing the records, the probability is, that, lest they be seized by the governor, Henry Dow "delivered [them] to the town, and the town . . . to the Trustees;" and that, by their connivance, they were secreted in a manner and by a person at the time unknown to them. Judge Bell, of Manchester (deceased), said:

"The Hampton Records, there is no doubt, were taken and carried by Mr. Weare to Boston, before he went to England,² for fear of their falling into the hands of Mason and Cranfield; and soon after his return from England, if not earlier, warrants were issued for his arrest, to answer the charge of embezzling the Records of Hampton; and he was subjected to a fine of fifty pounds."

DANGER FROM INDIANS.

Besides these troubles with the governor, the people were in a state of constant anxiety, on account of Indian hostilities; and though we find no record of acts of violence in Hampton at this time, yet it is reasonably certain that great vigilance was required, and probably some losses were sustained.

In March, 1684, the council petitioned Governor Cranfield to confer with the governor of New York, for the employment of Seneca and Mohawk Indians "who are best acquainted with the manner of these Indians' skulking fight," because, as they state in a letter to the New York governor, on Cranfield's acquiescence, "By several advices we have received of a sudden rising intended by the Indians in these eastern parts, to fall upon the English, we judged it absolutely necessary"—etc.

Another letter, addressed to Captain Barefoote, by Captain Hooke, of Kittery, August 13, 1685, says: "This is to inform you that just now there came to me a post, wherein I am fully informed that there is just ground to fear that the heathen have a sudden design against us."³

On the 8th of September, articles of peace were concluded with the Eastern Indians; but the peace, if observed at all, was of short con-

¹ p. 105.

² p. 107.

³ N. H. Hist. Soc. Coll., VIII: 251-2, 255.

tinuance, for scarcely four years elapsed, before the breaking out of "King William's War."

That danger was apprehended in Hampton is evident from the action of the town in April, 1687. After the election of selectmen, it was ordered by the town, that they should build a convenient *watch-house*, as required by law, and set it where the old one stood; and provide bullets, match, flints and whatever else the law directed, as a town stock for the soldiers. To meet the expenses, a tax not exceeding £10 was to be assessed upon the inhabitants.

In the summer of 1687, a regulation was made, that whenever, after that date, a legal town meeting should be called, if any freeholder should fail to attend, he should be fined 12d., to be paid to the town in every case, unless "necessarily hindered by God's hand of providence." A similar regulation, it may be recollected, had been made in 1639 and in 1641.

WOLF BOUNTIES PAID IN CORN.

On account of the difficulty of raising money to pay all the taxes necessary for the support of government, and for town and ministerial purposes, it was allowed that a considerable portion of the various taxes should be paid in other articles than money. Some instances have already been mentioned. Another is brought to our notice by a vote passed at a meeting on the 12th of June, 1689. A bounty had been offered for each *wolf* killed in the town, and it appears that this bounty was to be paid, by the inhabitants severally furnishing their quota of *corn*, to make up the amount required. The vote was as follows: "That the constable, James Johnson, shall pay to those men that have killed the wolues the last yeare what thay haue not received already out of the corne that is in his hands, which was gathered of the inhabitants for that end."

PAUPER EXCLUSION MEASURES.

The records furnish abundant evidence of continued vigilance on the part of the inhabitants, to prevent the introduction of strangers, who might become chargeable to the town for their support. It seems that a transient person, named William Penny, had been entertained in the family of John Garland, and, perhaps, in some other families. Whether he was at the time, in a needy condition, is not known; but, if not, it was feared that the town might at some future time, be called upon to support him. Before any such liability had actually been incurred under the existing laws, Francis Page was directed to give notice to Penny, that the town forbade his remaining here; and to

John Garland and any other persons that had entertained him, to entertain him no more, unless they should go to the town clerk forthwith, and give him such a bond as he should judge sufficient, to secure the town from harm.

By another vote, in 1693, no householder was allowed to take into his family, without the approbation of the selectmen, any journeyman, servant or other person, as an inmate, unless he should immediately give to the town clerk a bond, sufficient for the town's indemnity. Any person disregarding this order was made liable to a fine of 20s. a week, for every week that such inmate should be entertained, without the approbation, or the security required—the fine to be levied by a warrant from some justice of the peace, and the selectmen.

This regulation did not prove sufficient; and three or four years afterward, it was found necessary to make an additional order. The former vote was renewed, and a like penalty was also ordered to be taken from any man, who should "let any of his housing" to any person, without the approbation of the selectmen, or security given to the town clerk. Against the persons themselves, who should come into the town to dwell, without approbation, or giving security, process should be instituted by two justices of the peace, according to the laws of England.

It was further ordered, that if any man, notwithstanding this prohibition, should take into his house or family, any person, contrary to the order, and if the person, so taken in, should ever in consequence become chargeable to the town, the individual, by whom he was first taken in, should be compelled to pay the whole expense of his maintenance.

It was voted, that Henry Dow, the town clerk, should be paid forty shillings out of the town rate, for his pains in writing for the town, during the ten years immediately preceding.

In February, 1693, Francis Page and Lieut. John Smith were chosen *overseers of the poor*.

The next month, Christopher Palmer and John Sanborn were chosen selectmen, to be joined with the five then in office. For many years previous, five persons had constituted the board.

UNLAWFUL FENCING.

Complaints were made at this time, that some of the inhabitants had fenced in, or were about to fence in, some part of the town's commons and certain watering-places; which acts, it was said, would prove very prejudicial to the freeholders, and tend to disturb the peace of their majesties' subjects, the inhabitants of the town. It was there-

fore thought necessary to make a stringent order on the subject. The town voted, that whoever had presumed thus to trespass, since the first Tuesday in October of the preceding year, or should do so in the future, should be forbidden by the selectmen to proceed any farther, and ordered to demolish every such fence that had already been built. In case of disobedience to these orders, the selectmen, with a justice of the peace, were to issue a warrant to a constable, to take a fine of 20s. of the offender, and a like sum for each day, until such fence should be demolished. In addition to this, the selectmen were empowered to prosecute, as a trespasser, any person thus offending, if they should think it advisable.

Six persons only dissented from the vote for such proceedings, namely: Joseph Smith, Robert Smith, Thomas Roby, Nathaniel Boulter, John Redman, Sen., and John Smith, the tailor.

At the same meeting, it was voted that, if any should desire a portion of land for the purpose of improving it, and should make and leave with the selectmen written proposals therefor, such proposals should be considered at the next meeting of the board.

A TWELVE MILE FENCE.

At a commoners' meeting, March 22, 1694, a plan already devised, was matured, for building a long line of fence, to separate a considerable portion of the unimproved land from that which was wholly, or partially, under cultivation, for the purpose of forming, on each side of Taylor's river, *a common pasture*, where the proprietors might keep their "cows, year-olds, swine and sheep." At each of the pastures, a horse was also to be kept, for the use of the proprietors. It was agreed that the fence should be made the next winter, if the "authoritie" would grant them liberty to hang convenient fall-gates where the fence would cross the country highways. Two committees were appointed, to determine where the fences should be built. The one for the town side consisted of Lieut. John Smith, John Marston and Josiah Sanborn, who were directed "to bound out where the fence should be made from about the Little Boar's Head to Taylor's River." The committee for the Falls side were Mr. John Stannan, Abraham Green and Sergt. Joseph Swett, who were to mark out the place of the fence from the river to Salisbury line. The whole extent of the fence, thus planned to be built, could not be less than ten or twelve miles.

NORTH DIVISION LAID OUT.

The commoners, having several years before, voted; "that all the

land four miles northerly of the Meeting-house should be laid out," it was now declared to be the true intent of that vote, that the southerly boundary of the tract to be laid out, should be four miles north of the meeting-house, and should run parallel with the boundary line on the northerly side of the tract, that is, the line between this town and Portsmouth. It was also ordered that this tract should be laid out by the men formerly appointed for that purpose; and when the work should be done, the selectmen, with a justice of the peace, were to have power to assess the expenses on the owners of the lots laid out.

A committee of five men was chosen, to examine any man's right to shares in the cow-common, "by gift, will, purchase or inheritance, and if it appear to them to be a just right," to cause the same to be entered in the Town Book, together with the name of the former owner. The committee consisted of Mr. Henry Green, Mr. Nathaniel Weare, Capt. Henry Dow, Lieut. John Smith and Abraham Drake, Sen.

KINGSTON.

James Prescott, Sen^r., Ebenezer Webster and others, inhabitants of Hampton, petitioned the governor and council for a grant of a township, to be formed principally from the unimproved land in the western part of this town.

The town having been notified, chose as their agent, Capt. Henry Dow, to go to New Castle the next day, May 18, 1694, to appear before the governor and council, "to manifest the town's earnest desire that no township might be granted to any persons," any portion of which should "come within seven miles of Hampton Meeting-house westward, upon a straight line." This "desire" was a reasonable one, for originally the township extended several miles farther west than this, and though no settlements had hitherto been made there, yet several thousand acres of the land had been laid out and assigned by lot to the proprietors of the common lands. Indeed, a considerable portion of the New Plantation lay more than seven miles west of the Meeting-house. The proposition of the town, indeed, appeared so reasonable, that it was assented to at the time by James Prescott, Sen^r, in behalf of the petitioners.

The prayer of the petitioners was granted, and on the 6th of August, 1694, the new town was incorporated, by the name of Kingstown, the grant including the present towns of Kingston, East Kingston, Danville (formerly Hawke), and Sandown. Hampton having laid out and disposed of a part of this territory, difficulties afterwards arose, and the town was involved in lawsuits, which will be more particularly noticed in another place.

NEW CASTLE'S PETITION REJECTED.

The year before the incorporation of Kingston, the town of New Castle had been formed, including within its limits, Great Island, Little Harbor, and Sandy Beach (now Rye), all of which had previously belonged to Portsmouth. About two years after its incorporation, that is, in 1695, the inhabitants petitioned for an enlargement of territory, by the annexation of a considerable tract of the northern part of Hampton. In obedience to an order from the lieutenant-governor and council, the town chose as agents, to appear before them and state their objections to the prayer of the petitioners, Capt. Henry Dow and Lieut. Christopher Palmer; and gave them full power to act for the town, according to their discretion. The agents appeared at court, and objected, in substance, "that, if the prayer of the petitioners is granted, it will take away our principal feeding lands in that part of the town, without which, it will be impossible to carry on our farms; for the cattle of the petitioners trespass already, but if this is allowed, they will trespass still further, and feed home to our lots' ends; that it is very strange, moreover, that they should not know the present bounds, seeing they were determined forty years ago, by four men, two of Portsmouth, of which New Castle was then a part, and two of Hampton, empowered for that end,¹ as appears by their returns, and by our peaceable possession ever since."

After the hearing in May, the case "was laid aside for farther consideration;" and it does not appear that it was brought up again. The assembly was dissolved the 2nd of November following.

Some of the people of Portsmouth, having expressed a desire for a more direct road than the one then travelled between that town and Hampton, Capt. Henry Dow and Sergt. John Marston were chosen on the part of this town, March 15, 1697, "to see if they could find a nearer way." Their report has not been found.

NAVAL OFFICER.

April 16, 1696, Nathaniel Weare, Esq., was appointed Naval Officer at Hampton, "to enter and clear all vessells for what goods imported or exported, and to receive all duties & imports, as by Law; and to give an account of the same to the Treasurer of this province for the time being, and to receive to himself the accustomed fees for his salary."

¹Bryan Pendleton and John Pickering, of Portsmouth; and William Fifield and Thomas Marston, of Hampton.

LATIN SCHOOL.

By an act of the Legislature, of 1697, provision was made for establishing a *Latin School* in the province, to be free to all "Misters, Readers, and Latinists," and to the support of which, all the towns were required to contribute. The school was to be located in Portsmouth, and the master to be appointed by His Excellency, the Governor, the council and the settled minister of the town. The selectmen of Portsmouth were authorized to determine the amount of tuition to be paid by each scholar sent there to learn Latin. In addition to this, the towns were to pay severally, as follows: Portsmouth £28; Hampton, £8; Dover and Exeter, £6 each; and New Castle, £2, which sums were to be assessed by the selectmen of the several towns — the act to remain in force two years.

Such was the scheme, and the school was established. Whether any of the people of Hampton availed themselves of the opportunities thus afforded for educating their children, we do not know. Mr. Daniel Rindge was under appointment as master, at the time of his death in Hampton, in 1713.¹

FIRST WEST DIVISION LAID OUT.

In November, 1699, the selectmen were instructed to determine upon some method for laying out land, so that persons who wished to improve any portions of it, might be permitted to do it; and to lay their plan before the town at some future meeting, so that, if approved, it might be ratified; or, if considered defective, that it might be altered and put into such a form as might be thought conducive to the welfare of the town.

At a meeting of the freeholders, on the first Monday of December, the selectmen presented their Report:

"Whereas we, whose names are under written, were appointed to consider of some method for dividing of lands to the several inhabitants of this town, we have seriously considered and weighed the circumstances of the several parts of the town, and we are of the mind that when the North Division is laid out, and the lands that are already granted, taken in, there is no more on the town's side, so called, that can be spared out of the common. If there be not a convenient quantity of common reserved and kept for feeding of cattle and the like, the successors of the ancient inhabitants that bore the brunt and hardship in settling this plantation, will be ruined and forced to remove.

¹ Chap. XXVII.

The Falls side is in the like necessity of a suitable common, that may extend to the west end of the hill, called Horse-hill, and so over Hopen meadow to Exeter line, and what lands belong to the town *above* that line may be divided according to rules agreed on by the freeholders.

Dated y^e 4th of December, 1699.

Nathaniel Weare

Henry Dow

John Stanyan

John Redman

Josiah Moulton

Selectmen of Hampton."

This report was adopted by the freeholders, but not unanimously.

Nothing further appears to have been done at that time, in relation to the land which the selectmen thought might be divided and disposed of. At another freeholders' meeting, holden November 18, 1700, it was voted to lay out a tract nearly corresponding to this, to persons afterward to be agreed upon. The tract is described as "beginning towards Exeter line, joining to Abraham Cole's lot—the first lot in the North Division—and so from thence to Salisbury line, to come a mile from Exeter line and Kingston line towards Hampton." At the same time, it was agreed that "all other lands from that to the town, and from Salisbury line to the sea, should lie in common for the benefit of the town."

It was ordered, that this tract should be laid out forthwith; and Lient. Joseph Cass, Ens. John Gove, Samuel Dow, Ephraim Marston and John Moulton—son of Lieutenant Moulton—were chosen a committee to lay it out, and give to the town clerk an account of the number of acres.

As this land was a part of the *common*, each commoner would have a just claim to some portion of it, when divided. The plan agreed upon, for apportioning it among the proprietors, was this: Persons owning two shares or more in the common, were to have two shares in the land to be laid out; and those owning but one share in the common, were to have one share in this tract. There were also belonging to the town many men who were not commoners. These were remembered in this division. "All male persons who had been born and brought up in the town, and had arrived at the age of twenty-one years and were still living in Hampton" were allowed to have half a share each, except such as claimed a right in Kingston, by virtue of any grant from the lieutenant-governor and council.

At another meeting, June 9, 1701, it was voted that the lots in the

portion next to Kingston line should run northerly and southerly and be half a mile in length, a space of four rods in width being left between the several divisions, for a highway. For convenience in the distribution of the land, it was voted that after the number of claimants should be ascertained, the whole tract should be laid out in half-shares, and that each person who would be entitled to several half-shares should have them together, so as to form but one lot.

On this occasion, Thomas Crosby, "the present school-master¹," was not forgotten. It was voted, that he should have two half-shares in this tract.

The committee for laying out this land were Samuel Dow, Joseph Swett, Jonathan Moulton, and James Fogg. The tract contained nearly four thousand acres, and was called "The West Division," sometimes "The First West Division."

The committee, in their Return, Dec. 26, 1702, state that they had laid out the land in twelve divisions, containing in all three hundred fifty-one half-shares, of about ten acres and a half each. The first seven of the divisions bordered on Kingston, and in each of them were thirty-one half-shares. The *seventh* division also adjoined Exeter, and so did all the remaining ones, except the eleventh, which was separated from the Exeter line by a few lots of the twelfth division. In the ninth division, the committee found some old grants, which they left undisturbed; and between the tenth and eleventh were several farms containing in the aggregate about four hundred acres.

The committee's Return was approved by the freeholders.

THE RIGHT TO VOTE DEFINED.

At the freeholders' meeting, Nov. 18, 1700, another subject was considered and disposed of. The freeholders state that they had met "to consider and do that which may be for the good and benefit of the town," by preventing "any disorder for the time to come, either at the meeting of the freeholders or [of the] commoners." They then ordered, that no person should presume to vote in any meeting of the freeholders, unless he were a freeholder in the town; that no one should presume to vote for the disposing of any land, unless he were a commoner, according to the first grant of shares in the cow-common; that if at any time the vote on any subject should not be decisive, and should be disputed, those persons at the meeting, who were not entitled to vote, should withdraw from those who were, so soon as they should be requested. For each and every violation of any one of these orders, the offender was subjected to a fine of ten shillings in

¹ Chap. XXVII.

money, to be levied by the selectmen, for the benefit of the poor of the town.

At the election of town officers, in November, of the following year, it was voted, to choose the selectmen by proxy; and this was accordingly done, though a considerable number of persons objected, on the ground that some votes were cast by persons who were not freeholders.

Two years later, the town voted to change the time of the annual election, and that the selectmen, constable and surveyors chosen at this meeting should hold their respective offices, until the last week in December, 1704, and that then and from year to year afterwards, others should be chosen in the last week in December.

THE FALLS BURYING-GROUND.

The Falls people having asked the town to appropriate to them land for a Burying-Yard, in some convenient place, the town granted their request, June 26, 1704, and ordered that the land should be laid out near Samuel Shaw's, by Capt. Jacob Green and Lieut. (Joseph) Swett. The land thus granted and laid out was the old Burying-ground, on the southwesterly side of the Exeter road, as it leaves "The Hill."

TRESPASSERS ON THE COMMONS AND HIGHWAYS.

There have been a few of the inhabitants, in nearly every generation since the first settlement of the town, disposed to trespass upon the public lands, either by fencing in some portion of the commons, or crowding their fences into the highways. While large tracts of common land remained ungranted, complaints of encroachment were very frequent. Some of them we have already noticed, as also the methods adopted to prevent such trespasses.

Other measures are yet to be mentioned. A commoners' meeting, February 26, 1706, was called, to consider the subject and devise measures for putting an end to such encroachments, which had become so frequent that they were said to be of daily occurrence. The proprietors empowered and ordered John Redman, Sen. and Ens. John Gove to prosecute in a due course of law, any person or persons who had fenced in, or should after that date fence in, any of the commoners' pasture land, that they had previously ordered to lie common. They also directed, that the selectmen should, from time to time, and at all times when needful, raise money on the proprietors in common, according to their right of shares, to defray the necessary expenses of such prosecutions. It was also voted, that Capt. Henry Dow, the town clerk, should, in the name and in the behalf of the freeholders and common-

ers, give the agents appointed a letter of attorney, to enable them to carry into effect the plan adopted, and that they should have full power to employ legal counsel, to assist them in conducting the prosecutions.

THE CASE OF FRANÇOIS JENNESS.

What the success of this measure was does not appear. There are reasons for believing that some of the trespassers were dealt with more summarily than by prosecution. From a complaint of Francis Jenness, who lived a little north of Little Boar's Head, we learn that John Redman and twenty or thirty other men were discovered by him, "throwing down fences and laying his pastures open." Thereupon Jenness, taking with him three women, as *he* was the only *man* at home, went to the company thus engaged, and demanded of them whether they had any *Justice* with them, telling them that, unless they had, "they were an unlawful assembly, and what they acted was a *riot*." But his interference was unheeded. Redman himself went on to demolish the fence, and ordered his men to assist him, and Jenness says they did so in a "royotous manor." The fence, thus pulled down, had enclosed a tract of land claimed by Jenness, and had, as he states, at first been built by three of his neighbors, "for preservation of the Garrison and keeping of the cattell belonging thereto, in case they should be drove in by the Enemy."¹

SHEEP LOST FROM THE FLOCK. EAR-MARKS.

A new subject of complaint is brought to our notice about this time—the loss of several sheep from the flock, in a way that caused great dissatisfaction. The sheep could not be found, and no evidence appeared of their having been killed by wolves or other wild beasts. The suspicions of the people as to the cause of these losses may be inferred, from the course taken by the town in relation to them. It was ordered, that no man should presume to take a sheep privately from any flock in the town, nor off any common, to kill or to sell. If an owner wished to take a sheep from a flock under the care of a shepherd, he should let the shepherd see it, and it should be his duty to make a minute of its ear-mark and its color, so that it might be publicly known. If any person should take any sheep off the commons, where there was no shepherd, he should, in every instance, give an account thereof to the town clerk, or to a constable; and these officers were required to keep a record of every such sheep and its ear-mark. If any person should kill or sell any sheep, and not proceed

¹Henry Dow's MSS.

as here required, he would forfeit the sum of sixteen shillings for every one killed or sold contrary to this order, the fine to be recovered by an action brought by the selectmen, or their attorney, before any justice of the peace, and to be for the use of the town.

It would, however, be unfair to infer that every person who took any sheep from the flocks, or from the commons, before this regulation was made, was guilty of stealing. Each owner probably had an ear-mark for his sheep, but nothing hitherto appears to have been done by the town, to prevent several persons from using the *same* mark. Now, it was made the duty of every man to inform the town clerk of the ear-mark used by him, for marking his sheep and cattle, and that officer was required to make and keep a record thereof. After any man's mark had been thus recorded, no other person was allowed to adopt the same mark. The town clerk's fee for recording was one penny for each mark recorded.

The ear-marks most commonly used were the following, viz. : holes, crops, half-crops, half-pennies, notches, slits and swallow-tails. By using these separately, or in different combinations, several hundred ear-marks were formed and used in the town, as appears from the record.

A few specimens of those recorded at this time are here given :

"Ben : Moulton, on left eare a Half peny on the under side and on the Right eare a Half crop on the under side and a noch under the same."

"John Goue, a crop on the left eare and a slit on the Right eare nott at the end but a littell slanting downwards."

"Nath^l Bachilder Juner, a Swallows Tayle so cald on each eare."

"Jabez Dow, a crop on the left eare and two nochis under the Right eare." "Renewed to Jonathan Philbrick, February 20th, 1810."

"Abram Green, a Swallows Tayle att the end of the left eare and A Half penny under the Right ear."

"Richard Samborne, a Slitt att the end of each eare."

"Josiah Dow, a littill crop on the left eare and a littell noch a top y^e same."

"Ben Shaw senior, a hole punched in the Right eare."

"Ben Shaw Juner, two Hols punched in the Right eare."

"Roger Shaw, two Hols punched in the left eare."

CAPTAIN HENRY DOW.

On the 6th day of May, 1707, a vacancy occurred in the office of town clerk, by the death of Henry Dow, who had held the office a quarter of a century. At a special town meeting two weeks after-

ward, his son Samuel Dow, was chosen his successor. In all his public life, Captain Dow had been a leader among men—now called to inspect accounts; now as Receiver, under the Treasurer, of rates and duties; and now, to hear and lay before governor and council, the claims of individuals against the province;—at one time, as commissioner, to meet the Massachusetts commissioners for running the vexed province lines; and again, to establish the bounds between town and town;—now, as special pleader in the courts; and now, as judge on the bench.

In the disturbances which rent the province, he was ever found with the patriots. In command of his company against the savages, or as officer of supplies for the army, he was quick and skilful. In remonstrance against the usurpations of Mason, Allen, Usher and their fellows; in resistance to the unjust taxation by Cranfield (for which the latter ordered his imprisonment); and in his connection with Mr. Weare's mission to the king, he was fearless and firm.

On the 27th of March, 1707, Captain Henry Dow attended the council-board for the last time. Forty days later, he died. [See Genealogies—Dow (2).]

ANOTHER PORTION OF THE COMMONS DIVIDED.

At a meeting of the commoners, December 29, 1707, Lieut. John Smith, Maj. Joseph Smith, Mr. John Stanyan, Samuel Dow and Lieut. Joseph Swett were chosen a committee, to consider what was best to be done in relation to the commons, and to make their report at the next meeting.

Their report was presented about five weeks afterward, and in accordance with one of their recommendations, the commoners agreed to survey, and divide among the proprietors, another portion of the commons, lying within, or towards the town from the First North and the First West Division. The first eighty rods within each of these divisions, they reserved as a common for future convenience, and they voted to lay out within this reserved portion two divisions, each a mile in width, one towards the north and the other towards the west part of the town; the former, to end on the east one mile from the sea, and the latter, to extend southward no farther than to the old line of Salisbury. The mile between the easterly end of the north division and the sea; and the portion between the old line of Salisbury and the line then parting the provinces, the committee reserved for future disposal. The quarter of a mile range between the old and the new divisions was reserved as a free common, till a different arrangement should be made by the commoners.

The commoners appointed Lieut. James Philbrick, Joseph Swett, Joseph Cass, Ephraim Marston, Samuel Marston, Samuel Robey and Jonathan Moulton a committee, for laying out these two divisions.

At another meeting of the commoners, holden three weeks later, Lieut. John Smith, Lieut. Joseph Swett and Samuel Dow were chosen, to ascertain who were then the rightful owners of the 147 shares of the cow-common, and to cause a record to be made of such owners and their rights, in the Town Book.

At this meeting, Lieut. John Smith offered to be at the whole charge of laying out the north and west divisions, and also to relinquish forty acres of his right in them, on condition that the commoners would allow him forty acres, where his son John Smith was living. This offer was accepted by the commoners, and Lieutenant Smith laid out the divisions on the terms proposed.

CHAPTER IX.

HAMPTON FALLS. 1709-1760.

THE separation of Hampton Falls, as a distinct town, was a gradual process, and the records of the several acts regarding it are so complicated, it is difficult to arrive at the exact truth with certainty. The year 1718 is generally regarded as the time of its incorporation; but that a partial separation, for church and school purposes, was made long before, is matter of record, while the act of 1718 did not wholly sunder the relations of the two parishes.

We shall, therefore, quote largely from the proceedings of the General Court, as recorded in the *Provincial Papers*:

At a Council and General Assembly in Portsmouth, Dec. 8, 1709,¹
“The following of the inhabitants of the South part of Hampton was read at this Board, viz.:

To his Excellency Joseph Dudley, Esq. Governour and Comander in Chiefe in and over her Majesty's Province of the Massachusetts Bay and New Hampshire, and the Honourable the members of the Council and Representatives, convened together in General Assembly, now sitting:

The humble address and petition of her Majesty's loyal and dutiful subjects belonging to the South part of Hampton, in said Province of New Hampshire, commonly called Hampton falls, Most humbly sheweth,—

That your petitioners being at that distance from the publick place of the worship of God at the Town, and see many difficulties in going, and many times no passing over the Causeway by any means, that it hath caused your petitioners to be at the charge of building a Meeting House upon our side of the Town, and have had a minister for some time, and doing all by free contributions ourselves; and the other part of the Town being the Major part of the Town, Rates us in the full proportion according to our estates, to the repairing the Meeting House and parsonage, and to the minister there, which is burdensome to us, and we are not able to settle a minister with us for want of some better settlement in the matter.

¹ Vol. III: 408-10.

Wee therefore pray that in your wisdom you will grant us some relief in the matter, either that the Town and we on our side may maintain two by raising our Rates in general together, or that we may be freed from the paying to the Town, and have power given us to make a Rate or tax for the subsistence of one with us."

[Then follow the names of fifty-six citizens.]

"Upon a full hearing of both parties in Council upon this petition, the 8^d of December, 1709, voted that the contract and agreement of the Town of Hampton for the maintenance of Mr. John Cotton, their present minister, be and is hereby ratified and confirmed; And the town directed to proceed for the raising and payment of the same as in all time heretofore; That the petitioners and such others as are joined with them on the westward of Tailor's River, have power at a meeting once a year for that end, to choose among themselves three persons to be Assessors for raising the sum of — for the maintenance of such learned and orthodox minister to officiate in the New Church at Hampton, as they shall agree to call to the service there, with the advice of Mr. Cotton, their present minister; that the affairs may proceed with such peace and friendship as becomes religion and good order; and that the Assessment upon the said petitioners and inhabitants on the said Western side of Tailor's River, being signed by the said Assessors, shall be Collected by the Constables at all times and paid into the minister for his support, as in all other Towns and precincts in this Province.

Past by the Council.

Cha: Story, Secretary."

After the passage of this act, the new parish lost no time in procuring a minister, the one who had hitherto preached to them being probably the school-master, residing with them. They now engaged the Rev. Theophilus Cotton, a graduate of Harvard College in 1701, youngest son of Rev. John Cotton, of Plymouth, who was a brother of Rev. Seaborn Cotton, of Hampton.

The death of the Hampton minister occurring soon after, the people of Hampton Falls preferred the following petition, addressed as before:

"To His Excellency" etc. . . . most humbly sheweth,—

That your petitioners having formerly laid before y^r Excellency and Council the great want of having one settled among us on our side of the Town in the work of the ministry, and now by God's good Providence have obtained the Reverend Mr. Theophilus Cotton among

us in that work, and God by his awful stroke of Providence having removed, by death, the worthy and Reverend Mr. John Cotton, to our great lamentation, we do therefore pray, 'That we may be set off from the town from being at any charge as to procuring and maintaining a minister there; and that we may have power given us to make a tax or Rate, from time to time, as shall be for the support of our minister with us, and that each part of the Town maintain their own minister; That as we have been at equal charge according to our estates as purchasing and holding the parsonage at the Town, that now we may have some land appointed and laid out for a parsonage, as convenient as it may be had for the Falls side, according to the worth of our part of the town; That the Bounds may be settled between each part of the town, Tailor River being so crooked that it parts the inhabitants belonging to our meeting-house, we pray that the River may be the bounds up to the place called Garland's Mill, and from thence to a Bound tree betwixt Exeter and Hampton, at a place called Ass Brook, or that a committee of indifferent men may be appointed to come upon the place, and they to settle the Bounds, as in your wisdom shall be directed, and as in duty bound we shall ever pray."

This petition, signed by Nath^l Weare, Joseph Swett, Samuel Shaw, Daniel Tilton and about sixty others, was read at the council board on the 13th of May, 1710.

A hearing was appointed with the following result:

May 19, 1710.¹ "In the affair of Hampton before the Council by petition, Ordered that the whole Town pay forthwith the arrears and funeral charges of their late minister;

That there be a Committee appointed to report the Division of the parishes for the several meetings, and to consider how to settle lands for another parsonage; and a further hearing of the whole town be referred to the next General Assembly; and that the new parish in the mean time proceed in the maintenance of their minister, according to former order of this Board, saving that no person dwelling on the North side of Taylor's River shall be taxed for any land in the New Parish, until a further hearing be had thereupon; which is referred to the next session of the Assembly.

In pursuance of the above order, the Committee appointed are:

Major Vaughan, John Plaisted, Samuel Penhallow, Theodore Atkinson, or any three of them, to make report at the next General Assembly."

"In the affair of the New Parish in Hampton,² there appearing

¹Vol. III: 432.

²Vol. III: 451.

difficulty in making any division of the Lands or inhabitants for the support of the ministers in the two several parishes ;

And whereas, the inhabitants and Auditory of the old church have agreed with their present minister [Mr. Gookin] to pay him annually eighty pounds, half in current money and the other half in provisions, &c. ; And to allow him the parsonage in the said town of Hampton, long since purchased by certain inhabitants there ; and fire wood as in the said vote and agreement in the record will appear :

And whereas, the inhabitants adjoining to the new parish have considered to raise sixty pounds, and firewood for their minister, and to lay out of the waste and unimproved lands in Hampton, five acres for a house lot, and twenty-five acres for pasture, &c., for the parsonage there :

Voted, that it be recommended to the select men of Hampton, to lay out the said two parcels of land indifferently, as well for the service as may be ;

And that the Town of Hampton lay a tax annually for the said two sums, Am^o to 140^{lbs}, in species as above, and pay the incumbent of the old Church according to the agreement made with him, and the remainder to the incumbent of the New Church, from time to time.

23^d October, 1710.

Consented to.

J. DUDLEY."

This was read and agreed to in council and in the House of Representatives.

On the 6th of May, 1712, Nathaniel Weare presented a petition to the General Assembly,¹ "in behalfe of himselfe and diverse others, on y^r desire ;"

"That, although wee are comed to a Good measure of settlem^t through God's good providence among us, both to Church and Ministry, to the Great Satisfaction of all as farr as wee know, and the Town in General, to Raise a tax for the support of each minister as by the said order may appear ; Yett there are several charges that doth arise that are proper, particularly by those that belong to our parish, to be paid, as wood for to be provided for our minister, and fencing the parsonage Land, and for paying the schoolmaster, and several Charges that doth Rise relating to Minister and schooling, which cannot be equally discharged, or promises justly performed, without a Tax on the inhabitants in this parish :

Wee therefore pray that wee may have liberty and power to con-

¹ Vol. III : 514.

vene the Inhabitants together that belong to this parish from time to time, to Consider and Agree about those things that are needful as to the ministry and schooling; And that wee may choose assessors among our Selves to be joyned with the Select men that belong to our parish, to assess the estates of the Inhabitants belonging to our parish, for the Defraying of all such charges as shall from time to time Arise Relating to these Affairs, all being concerned in this affaire that live westerly of the Line Returned by the Committee, and that such taxes shall be collected and Gathered by the Constables from time to time, and paid according to Order of said assessors: all which as in wisdom shall see meet.

And your petioners, as in Duty Bound, shall ever pray, &c.

NATALL WEAR."

This petition, having been read at the council board, and sent to the House, was sent back with the following return:

"Wee are humbly of opinion that the petitioner be Referred to the General Town meeting of Hampton."

"The Council Consents to the Reference above and directs the Inhabitants of Hampton to proceed thereupon at next Town meeting and make a Returne to the next General Assembly of this Province."

The next *annual* town meeting would not be until December—too late for the establishment of a winter school—and at the request of the Hampton Falls people, a special town meeting was holden on the 22nd of September, when the petition of the Falls parish was presented. The town made answer, that whatever the inhabitants of the new parish might "agree to either by vote or otherwise for providing what quantity of fire wood annually for Mr. Cotton or for fencing in or clearing their Parsonage to mak it more profitable to the possessor or for Repairing their Meetinghouse from time to time . . . shall be accounted as done by the whole town to all intents and purposes and shall be collected as Mr. Gookin his wood Rate is and the other Charge in the Old Parish (viz) by a warrant from the Selectmen of Hampton with a Justice of the peace directed to the Constable for the time being to collect the same and pay it as ordered by the Selectmen for the uses above said, provided their vote or agreement be according to the true Intent and meaning of this vote of the Town and entered in the Town Book within fourteen days after this meeting. Wee mean by the Inhabitants of the Falls Parish those people that now inhabit on the South side of Taylors River and so up the Bridge over to s^d River att Tiltens farm and from said Bridge a quarter of a mile on the North side the Country Road as far as our bounds towards Exeter and so Southerly to Salisbury Line."

And the men of the new parish were directed to meet on the 30th of the same month to act according to the above vote.

Voted, "That the Town declares their mind Relating to the School matter by the following vote, viz: That whereas there is one school appointed by Law to be kept in each town, the mind of town is that the whole town is little a nough to maintain the Charge of such a school as ought to be kept in this town; and therefore shall not exempt any part of this town from paying to the school appointed by Law."

To clinch the decree, it was then voted, that a new schoolhouse be built, "twenty four foot long and twenty foot wide to be done by the last day of April next to be built on the Land granted for that End by Deacon Daltons (on the North side, where the center school-house now stands), and that the Tax be Raised on the Inhabitants of the Town."

This naturally angered the Falls people, but they were forced to bide their time, as the majority of the selectmen, at that time, lived on the town side, and would refuse to abate their taxes.

In 1714, however, a majority of the board were in their favor; and, acting with Justice Peter Weare, they issued their warrant to the constable, Robert Moulton, to collect the "school ma^t Rate from only a part of the Town, and wholly left out the other part of said Town; which partial doings hath caused great Divisions in the said Town, and will more increase contentions when the Constable comes to take such Rate by distress, if not timely prevented." So pleaded Lieut. Joseph Smith, one of the minority of the selectmen, "in behalfe of the greatest part of the Towne," in a petition to the governor and council, to interfere, by a hearing and decisive orders.

The petition was granted and a hearing appointed; but how the difficulty was settled, we are not informed.

ACT OF INCORPORATION.

Thus far, the separation of the Falls parish was for church and school purposes only. All other interests were in common with the whole town; nor were they free to act quite independently even in these two, as the foregoing records show. The parish of Hampton Falls had been set off, and the line dividing it from the old parish established; a meeting house had been built, a church formed, a pastor ordained: but the annual town meeting brought all together. With the limited exception already given, one board of assessors made out the taxes, which the constables collected.

This partial separation, however, was leading surely to the formation of a new town; since around their own church and school the

sympathies of the people would cluster more and more, as the old ties were sundered, and their attendance at the north side became less frequent. The isolated position of the new parish also, separated from the old by acres of salt marsh, would tend to the same result. It is not, therefore, surprising, that after a few years, a petition to this end was presented.

We come now to that petition and the action of the General Assembly relating to it, which is said to be the only act of incorporation that Hampton Falls ever obtained.

At a General Assembly at Portsmouth, May 12, 1718:¹ "Maj. Peter Wear, Esq., & Messrs. Tillton and Wait p'ferred a petition to this board directed to his Excellency the Gov^r and Council, w^{ch} being read & considered, the following vote was past thereupon :

In Councill, 12th May, 1718.

The Petition of Peter Wear, Esq., of the New Parish of Hampton, and several other of the Inhabitants of the said Parish, praying they might be separate from y^e old parish at their general town meeting, and that they might be empowered to call a meeting amongst themselves for chusing town officers, &c.,² being read and considered:

It is allowed that the s^d new Parish at Hampton have liberty to call a publick Parish meeting annually, to choose selectmen and such officers as may be convenient, to manage their parish affairs, and to choose one representative to send to the Gen^l Assembly as they shall have a lawful p'cept for so doing ; but as to their common land, maintaining their minister, & paying their proportion to the Prov : taxes, they remain as they were formerly.

Richd. Waldron, Cler. Con."

CHIEF-JUSTICE WEARE'S DEATH.

While the council was passing this act of incorporation, a man who, for more than twenty years, had sat at the board, wielding an influence rarely attained ; using it always "without fear and without reproach ;" wise in counsels, prompt and patriotic in action ;— the man who, more than any other, gave prestige to this town just coming into being—Hon. Nathaniel Weare, now eighty-seven years of age, lay dying within its borders. The next day was his last.

[See Genealogies—Weare (1).]

¹ Vol. III : 782.

²The petition however expressly says ; "& both Parishes to Remain as one Town, as formerly, in our Propriety of Lands—& as to our Ministry, as it hath bin already ordred by the general Court."

The following year, this vote was passed by the council ;¹

"Whereas, on the 12 May, 1718, there was a vote of Council past for making the new Parish of Hampton separate from the old to all intents and purposes ; & whereas there seems to be some ambiguity in s^d vote, and the same hath been misconstrued ; for the better explanation whereof, & in order to the better understanding of the same, it is hereby

In Council,

Voted, That the intent of s^d vote was & is hereby intended that y^e s^d new Parish of Hampton have the privileges of a town without exception, & that that article in y^e afores^d vote relating to the Prov : tax, is to be understood, each parish to pay their proportion as formerly, w^{ch} proportion is to be made & assessed & gathered by the selectmen, assess^{ms} & constable chosen at each parish severally ; and the minister taxes also to be made by the selectmen and assess^{ms}, and collected by the Constable y^t shall be chosen at the parish meetings severally, as above.

March 25, 1719.

Rich^d Waldron, Cler. Con."

With this explanation, it would seem that, Hampton Falls having now become an independent town, its place in this History should cease here ; but that it was not wholly independent in the matter of the ministerial and province taxes, whatever may have been the adjustment in regard to the common land, is evident ; for as late as 1726 (April 11), the selectmen of the Falls parish sent a petition to the lieutenant-governor, the council and representatives, setting forth that there had formerly been an Act passed, that the province rates, and the minister's rates for both parishes should be raised together by the whole town, but that the parish which they represented, found many disadvantages in not having power to raise these rates by themselves. They therefore asked to be released from that provision of the act, and to be empowered to raise such taxes independently of the old parish. After the usual preliminaries, of ordering the old parish to be served with a copy of the petition and of the order of the Legislature thereon, a hearing was had, November 23, and the prayer of the petitioners granted, so far as relates to taxes for the support of the ministry, making the two parishes in this respect entirely distinct, while the province taxes were apparently to be proportioned between them as before.²

THE BOUNDS DEFINED.

Three more years passed, before the bounds were definitely fixed, as appears from the Hampton Falls records :

¹ Vol. II : 723.

² Vol. IX : 338 and IV : 424.

"Whereas, there has been divers debates between the old parish and the new concerning the bounds between them, so that the selectmen of each parish have been at a difficulty to know how to make their rates and assessments according to their warrants, and to put an end to all differences which may arise, we the selectmen of both parishes being met do agree as followeth :

That we may make the rates and have no disturbance for this present year and to present this our agreement to the next parish meeting and endeavor to have it settled by the vote of each parish the line to be as followeth : that the falls or new parish shall have their bounds from the river mouth as the river goes to the falls river's mouth and then run to a way that comes into the country road at the end of land called Cliffords land between that and that which is in the possession of Thomas Dean and then as the road goes to the middle of the bridge called the town bridge and then as the river which is called Taylor's river to the mouth of the brook called Ass Brook to a way that leads to Exeter road or line and all the land that lies on the easterly side of said line to be rated to the first or old parish and all on the westerly side to pay to the new or falls parish and this we whose names are underwritten have agreed to the line above said always excepting and it is to be understood that where this above said line crosses any man's land or marsh that there the owners shall pay where the biggest part lies and the other party shall not rate the other part and this we the selectmen of both parties do agree to as witness our hands this 16 day of July annoque Domini 1729 & in the third year of the reign of King George the second &c.

It is the true intent & meaning of the paragraph which mentions the way from Ass Brook's mouth to Exeter road or line is to go from Ass Brook's mouth to the two rod way which was laid out between the divisions to the land called the quarter of mile and there right across the quarter of mile to a two rod way between the divisions to Exeter line.

Jon^a. Nason
Nath^l. Weare
James Prescott

Joseph Towle
Benjamin Thomas
Josiah Moulton"

Not even yet were the two settlements entirely distinct, for, in the Journal of the House of Representatives, Nathaniel Weare (son of the first Nathaniel), was still registered as from Hampton,¹ and the new town itself was called simply a "Parish" till about the time of the Revolution.

¹ Vol. IV : 467, 468.

DISPUTES ABOUT PARSONAGE LANDS.

By the Hampton Falls records it is shown that, as late as 1745, a meeting of the freeholders and inhabitants was held (September 30), the notification for which contains this remarkable preamble and statement:

"Whereas, there was a town meeting warned for the freeholders and inhabitants of the town of Hampton to meet at the town meeting house on Monday the 24th day of June last past and although it was for the town as above said yet we of this parish were denied the liberty of voting at said meeting:" therefore this meeting was called to consider what to do "relating to our holding or justifying our right of voting at said meeting," and to choose a committee to commence an action against those who hindered, and also to defend any freeholder of the Falls parish in any action brought "for appearing at a town meeting in Hampton and for their action or behavior thereat."

The records of the old town for the same time contain the following, dated September 15, 1745: "Voted, that the present selectmen are hereby Impowered to prosecute or cause to be prosecuted all or any of those parsons that came into our town meeting on the 24th day of June last past, and behaved in a Riotous disorderly manner to the grate disturbing of the Caring on said meeting."

That this stormy June meeting had reference to the division of the parsonage lands, and that disputes of long standing culminated at this time are apparent from other entries on the records of both towns. Five months after Rev. Ward Cotton was ordained, in 1734, Hampton Falls chose a committee, "to discourse with the selectmen or committee chosen by the old parish to dispose of the parsonage lots in Hampton to see whether they will be willing that the new parish shall have any part with the old parish of said lots. Voted, that the committee have power to search the Record at the old parish and to see from whence said lots derived and then to call a parish meeting in the new parish as soon as may be with conveniency." Three years later, Kensington church was organized, taking fourteen members from the old church;¹ and after one more year, North Hill parish was formed, under protest.² The parsonage property was probably a subject of dispute all this time, till the meeting of June 24, 1745, when two agents were appointed, to "prosecute & Defend any action or actions moved or to be moved for or against the said freeholders and Inhabitants." Just one week elapsed, when Hampton Falls chose a committee, "to consult with such a committee as may be chosen by Kensington and North Hamp-

¹ Chap. XXI.² Chaps. XI, XXII.

ton to consider of what method they may think best for each parish to come to their proper part of the lands purchased of the Rev. Timothy Dalton by the town of Hampton for the use of the ministry and to make report to the parish as soon as may be." So disputes and jealousies rankled for some years longer, but at length, bitterness died out, and Hampton Falls voted, under date, October 29, 1760, after consideration at several previous meetings, "not to proceed in a course of law to recover some part of the Parsonage or ministerial land."

"THE THIRD PARISH IN HAMPTON."

In 1782, certain men in the west part of Hampton Falls and the east part of Kingston petitioned the General Assembly to be set off as a "town or parrish," assigning the usual reason, their great distance from church. They said: "There has been almost a famine of y^e word and worship of God amongst us thear being near four hundred souls whereof not one above y^e sixth or seventh part can attend said worship."

Naturally, the two towns objected. Hampton Falls chose Lieut. Ichabod Robie and Capt. Nathaniel Healey to present their protest; while Kingston voted: "That we wont not seet of the East part of ouer town for a district or parish to Joyne with y^e West part of hampton and that there was not one voter appared for y^e sating them of att said meeting the Rason is Becase we are sensaball it will Ruine our town;" and chose Capt. Jonathan Sanborn and Mr. Ebenezer Stevens to remonstrate for that town. Fifty-eight men, within the proposed new parish itself, also entered a remonstrance. The petition was therefore dismissed; and Kingston was not divided till 1788.

The west part of Hampton Falls, however, became the town of Kensington, by an act passed, August 19, 1787. Soon after, the bounds were established, and the "third parish of Hampton" was in the exercise of all town privileges, except that of sending a representative to the General Assembly. In 1740, this also was granted, on petition of the inhabitants.

CHAPTER X.

TOWN AFFAIRS—NATURAL PHENOMENA—RYE. 1708-1786.

CLAIMS AT THE NEW PLANTATION CONSIDERED.

THE Return of the laying out of the New Plantation had been lost; and as sundry persons claimed land there by virtue of grants from the commoners to themselves, or to persons under whom they claimed, it was considered important to ascertain the validity of these claims. The commoners, therefore, on the 17th of June, 1708, appointed for this purpose a committee, consisting of John Stanyan, John Gove, John Sanborn, Sen., Dea. Samuel Shaw, Benjamin Batchelder and Jonathan Marston, who, together with the lot-layers, were to state the bounds of the Plantation as nearly as they could, by considering the terms of the grant formerly made; and divide the whole anew into four ranges, as formerly, and then assign to every person to whom grants had been made, his proper proportion. Those who claimed land there were to be at the charge of surveying the lots, and were also to defend the same at their own cost and charge. Any individual, upon satisfying the committee of the justice of his claim, might have his lot or share bounded out to him, so far as the town had a right to do it, he having first paid the committee, the lot layers and the surveyor, for their services.

The committee, lot-layers and surveyor were also required to measure such land as had been unlawfully fenced in, or built upon, by any person, on any part of the cow common, and report to the selectmen, to whom full power was given to prosecute such trespassers; the charge to be borne equally by the commoners and those to whom they had made grants. The next year, more lenient measures were adopted, allowing compromise or sale, in case of small trespasses.

THE "BACK ROAD."

At this meeting, Joseph Taylor informed the commoners that he was about fencing in a way passing across his lot, unless they would let him have an equal number of rods at the east end of his lot. In that case, he would let the way still remain for their use. Ens. Thomas Robey and Josiah Sanborn were chosen, to examine the case, and,

if they should think it expedient, "to lay him out rod for rod." This way was a part of what is now called the "Back Road," leading to the sawmills, on Little river.

LAWSUIT ABOUT LAND AT THE NEW PLANTATION.

About this time, a controversy, which excited considerable interest, arose between Peter Weare and the freeholders and commoners, whom he "arrested," for not performing a grant to John Marston, late of Andover. At a meeting held by them, February 23, 1709, to consider the case, they authorized the selectmen to appoint an agent, with power of attorney, to defend them; agreeing that all charges incurred should be paid by the commoners, in proportion to their rights in the commons, and raised by the selectmen for the time being. Nathaniel Weare and Abraham Cole dissented.

This case was tried the next summer and decided in favor of the plaintiff, costing the defendants more than £50. The following autumn, the selectmen, in behalf of the freeholders and commoners, petitioned Governor Dudley concerning the case. The facts, as set forth in the petition, dated November 13, were these: The suit was brought in consequence of the town not laying out a tract of land at the New Plantation, which at the date of the petition was in the town of Kingston. The grant in question had been made to John Marston, who had sold all his rights in Hampton, more than forty years before, to Dea. Francis Page, who had been in possession till the summer of 1708, when Weare produced a paper, purporting to be a deed of conveyance to him from John Marston, written and signed at Andover, and the same day acknowledged in New Hampshire, before Nathaniel Weare, Esq., the father of the grantee.

The validity of this deed was doubted. It had not been produced till after Marston's death, and it was represented as questionable, whether he was *alive* on the day of its date. It was also stated, that for several years previous to his death, he had not, by reason of age, been of a sound and disposing mind and memory; that he had not been able to attend public worship, and far less able to travel in so short a time to New Hampshire, a distance of nearly twenty-five miles, to acknowledge a deed; nor would it have been necessary, for there were several Justices nearer, and, indeed, directly on his way. The petitioners further allege, that some of Marston's near relatives heard him say that Peter Weare had been to him, for the purpose of buying this land at the New Plantation, but that he had refused to sell it.

Under these circumstances, it would seem reasonable that the plain-

tiff should have been required to prove the authenticity of his deed; but he insisted that, in order for a successful defense, it devolved on the town to prove that he had never received from John Marston any such deed. This might not have been easy to prove. The selectmen, therefore, as the agents of the freeholders and commoners, asked that Nathaniel Weare, Esq., should be required to state positively, whether he had ever seen John Marston in this province, since the date of the deed, claimed to have been given to his son, Peter Weare. Being questioned on this point, he stated before the governor and council, that Marston acknowledged the deed to his son, before him, at Andover, the 13th of May, 1708; and he declared that Marston was "then in his right senses."

This testimony, if not satisfactory, was direct and decisive, whatever may be thought of the validity of an acknowledgment made before a justice, when he was out of his jurisdiction.

On the 15th of September, the freeholders and commoners appointed Lieut. John Smith, Isaac Green and Ens. Samuel Marston, a committee, to join with the selectmen in selling some of the lots that had not been disposed of, in the north and west divisions, to satisfy the judgment that Peter Weare had obtained against the commoners, and to pay other charges incurred in the case. If the sales of these lots should fail to furnish a sufficient sum to pay all demands against them, then an assessment should be made on all to whom shares of the commons had been granted.

A PROTECTIVE MEASURE.

March 8, 1709, the commoners voted, that no man should fell, on the commons, any pine timber to be hewn square, to send out of the town, under penalty of 10s. a tree; and if any such timber should be found at any of the landing-places, or on any rafts in the rivers, it should be forfeited, one-half to the informer and the other half to the use of the town. If any person should pretend that the timber thus found was intended for his own use, it should still be subject to the penalty named, unless he could prove the truth of his assertion, by two witnesses. Lieut. Peter Weare and Mr. Joseph Chase were chosen, "to look after the timber."

IRON MINES.

About this time, there was some excitement among the inhabitants, on account of a belief in the existence of *iron mines, or ores of iron*, in some part of the commons, which, it was supposed, might be made to yield some revenue. The commoners, fearing that some of these ores would be carried away without their permission, and to their det-

riment, appointed the selectmen a committee, to look after their interests; and passed an order, forbidding any person from digging any of these ores, without first agreeing with the committee about the terms, under penalty of 40s. The bubble burst, however, for the mines proved a failure.

SHARES IN THE COMMON TO BE ASSESSED.

No taxes appear to have been hitherto assessed on shares in the commons, except to meet expenses incurred in improving or defending them. Now, June 20, 1709, the selectmen and assessors were empowered to assess on these shares, a part of the province tax, that was about to be raised.

At the same time, it was ordered, that the sweepage of the common thatch-ground should be distributed among the poor of the town, at the discretion of the selectmen; but that none of the thatch should be mowed till the latter part of August, and no person, *without permission*, should mow any of the thatch-ground, under penalty of 12d. per rod.

GRANT TO "THE FIVE FARMS."

At a meeting of the freeholders and commoners, in the winter of 1709, two privileges or shares in the cow common on the south side of Taylor's river were granted to each of *the five farms*, thus increasing the number of shares on that side to one hundred fifty seven, while the number on the north side of the river remained as before. This change was made, to meet the claims of the owners of the farms, founded on an agreement of the town, when the ownership of the common was settled, in 1646.

The year 1710 is memorable for the death of Rev. John Cotton, pastor of the church, and the beginning of Mr. Gookin's ministry.

ANNUAL TOWN MEETING TO BE IN MARCH.

At the annual election of town officers, December 29, 1712, it was voted, that the selectmen and constables, chosen a year before, should continue in office, till the first Monday in the following March. From that time to the present, the annual town meeting has been held in the month of March.

At the same meeting as above: Voted, "That there shall be twenty shillings more aded to the former twenty for him that kills a woulf within the Bounds of our Town till the Town null the acte by uote."

MALT.

At a commoners' meeting, held December 29, 1712, it was voted

that Ephraim Marston should “have half a quarter of an acre of land by the fort in the swamp to set a malt-house on,” and to enjoy the same as long as he should improve it in making malt for the people of the town, but the land should revert to the town whenever Marston or his heirs should cease to use it for the purpose for which it was granted.

This vote suggests a custom long prevalent here, and in other parts of New England, that of malting barley, and brewing beer to be used as a common beverage among the people. So accustomed were they to the use of this drink, that it was regarded as indispensable to their comfort. We have not now any means of ascertaining the quantity used in the town yearly, but, evidently, it was somewhat large. It was considered of so much importance, that the town and Rev. John Cotton in agreeing upon the terms of his settlement as the minister of the town, in 1696, stipulated at what price per bushel malt should be received by him in part payment of his salary.

AGAINST PETITIONS PRIVATELY CIRCULATED.

Another vote of the commoners brings to light one of the expedients sometimes resorted to for obtaining grants of land, and other privileges. The *usual* course in making grants was to have the subject brought before some public town or commoners’ meeting, and there freely discussed before any vote had been taken. In this way the people were prepared to act understandingly. In some cases, however, individuals who were anxious to obtain a mill-privilege, or a particular tract of land, prepared a petition, and carried it from house to house, to procure signatures privately. In some instances persons were induced to sign it through ignorance of the value of the grant sought, who, after a public discussion, would have given their votes *against* the grants.

To prevent abuses of this kind, the commoners made it a penal offence for any person to carry about a petition, or endeavor to persuade any man to sign one, in favor of granting any common land, stream, or other appurtenance belonging to the common land, otherwise than in a public meeting—the fine for each offence being 20s. to be paid to the selectmen for the use of the poor. They also ordered that every person that should *sign* such a petition, should pay a fine of 2s. 6d., to be applied to the same use.

A SHEPHERD’S CONTRACT.

April 2, 1714, “in the twelfth year of her majesties Reigne Queen Anne”—Morris Hobbs, Ephraim Marston, Benjamin Lamprey, Sam-

uel Marston, Josiah Sanborn, William Sanborn, and Seth Fogg agree with the selectmen to keep the flock of sheep this following summer, from April 12 to November 10, "without the snow shall come to hinder them from their feed"—will do it themselves or by those the selectmen shall approve of—to go with the sheep one day to North Hill way, and one day to Ship Rock way, and one day to Little River way—no man to go two days of his turn to Little River way—each man of them to provide a good and convenient pen for the sheep to lie in from the dust and from danger of the wild creatures,—the sheep to go at no time without a keeper—to be let out every morning by sun half an hour high—not to pen them before sunset at night. They give bonds of 40 shillings to perform their equal part in every particular—to be sued before a justice of the peace by any man who can prove the above articles not fulfilled. Two witnesses. Benjamin Lamprey's name apart from the rest, as if added later, and an additional witness: "Samuel Dow Jr. See Benja. Lamprey Signe this couenant."

JOHN TUCK, TOWN CLERK AND COMMONERS' CLERK.

On the 20th of June, 1714, Dea. Samuel Dow, the town clerk, died. He had been chosen to succeed his father in that office, at the death of the latter about seven years before. The vacancy now occurring was filled by the election (July 5) of John Tuck as town clerk. The same day he was also chosen clerk of the commoners, these two offices being usually, though not necessarily, held by the same person.

THE GREAT OX COMMON DIVIDED.

Six years before this time, namely, in November, 1708, the Great Ox Common began to pass into permanent possession of the proprietors. The shares had, like the marshes farther north, been drawn for once in six years; but now, the drawings for shares in the *thatch* ground were by vote, to be "forever." In September, 1714, the shares of *upland*, and a month later, those of *marsh*, came to a final drawing; and this tract, which, in 1641, had been set apart for a common "to the world's end," now, after 73 years, ceased to be a common, though a portion of it has ever since retained the name.

HOGPEN FARM.

Hogpen Farm, so called, was originally granted to Rev. Seaborn Cotton, and was laid out in 1668. The farm had since been sold, and considerable inconvenience—not to say injury—was experienced by those owning land adjoining it, by the present owners refusing to show the bounds of the farm. The selectmen judging it necessary to have

the bounds accurately determined, in order to prevent controversy, directed that the farm should be re-surveyed. They gave seasonable notice to the owners, of their intention to meet on the farm for this purpose, on the first day of November, 1714. They also notified to be present all persons owning land adjoining, and "other persons who dwell on or near y^e s^d farne 40 or 50 years" before, to give the best information they could, relating to the bounds. The selectmen, surveyors and lot-layers accordingly met at the time appointed. The selectmen then requested the owners of the farm, who were present, viz. : Edmund Johnson, John Green and Benjamin Green, to show them the bounds thereof. They replied, that they had never known them. Information was then sought from aged men, who had been acquainted with the property many years; and having fully satisfied themselves in relation to *some* of the bounds, the selectmen and lot layers made the survey, and marked out the farm by metes and bounds. Their Return was entered on the Town Book. "Hogpen meadow," belonging to the farm, was surveyed the following February.

BOUNDARY DISPUTE WITH EXETER.

A few months before this time, the inhabitants and freeholders had chosen Maj. Joseph Smith, John Redman, Sen. and Lieut. Nathaniel Weare, a committee, to petition the governor to settle and survey the bounds of the town, and to grant a confirmation of them as they had been established more than seventy years before. This course was adopted for the purpose of terminating a dispute between this town and Exeter, concerning their boundary line. Without waiting for an answer to their petition, the freeholders and commoners resolved to make another effort for an amicable settlement of the dispute by the two towns. They accordingly, on the 28th of January, 1715, voted that the town of Exeter should once more be notified through the selectmen to send a committee of three men to join with a committee of the same number from this town, "to renew and re-survey the ancient bounds of Hampton towards Exeter," and to meet at "Ass-Brook-Tree," on Tuesday, the first day of the following month. The committee on the part of this town consisted of Maj. Joseph Smith, Nathaniel Weare and Lieut. James Philbrick. In case of a refusal on the part of Exeter, the committee that had been chosen to petition the governor, were now empowered to petition the council, or the Superior Court, to order disinterested persons to establish the line.

The town of Exeter seems not to have united with Hampton in the proposition "to renew and re-survey" the boundary line between the towns. A petition was therefore presented to the council, February 4,

agreeably to the vote of the town just mentioned. This petition having been read at the council board, it was ordered that the selectmen of the two towns should be notified to appear before the board the next Monday, for a further hearing of the petition, a copy of which should be furnished to the selectmen of Exeter.

On the day appointed, the 7th, the petition was again read at the council board, the selectmen of both towns being present, and upon hearing the parties, it was ordered "That y^e lines between Hampton and Exeter be seen and perambulated w^{thin} fourteen days, & y^t each town appoint a town meeting forthwith to choose a Committee to run the said lines, and that Capt. James Jeffrey be y^e survey^r to do y^t service & make his return to this board, y^e towns paying his charge."¹

A little more than a year afterward, the views of the town were expressed by the following vote: "Whereas there is a Committee appointed out of the respective towns in this province to state the bounds of towns and parishes within the province, we do declare, that we will not consent to the settling any other bounds to Hampton, but the ancient bounds settled and established by a Committee appointed for this purpose by the Honorable General Court at Boston, in the year 1642, or 1643, which have ever since been considered as the true bounds."

AURORA BOREALIS.

The first appearance of the Northern Lights in New England, on the 11th of December, 1719; caused considerable alarm, it being regarded by many, as a precursor of the last judgment. Such was the case in Hampton; but tradition informs us that one man—Abraham Cole—either more skeptical, or more philosophical, than the others, having retired to rest before the aurora appeared, on hearing the cry of alarm that was raised, calmly inquired whether the stars were falling from heaven. On being answered in the negative, he remarked that there was, then, no ground for alarm; and he remained quiet in his bed.

MEASURES TO PROTECT THE BEACH.

In the spring of 1718, a vote was passed at a meeting of the freeholders, allowing the inhabitants to build a fence from Dea. Tuck's mill straight to the mouth of Little river, which then flowed into the sea at that part of the beach which is now called Plais Cove. The design in building this fence was to prevent cattle from running at large on the beach, and feeding down the beach-grass and other veg-

¹Prov. Pap. II: 570.

etation growing there, which served the important purpose of preventing the sand from being blown away so as to expose the land lying back of the beach to inundation from the sea. Permission was also given to set up a gate and fence across the lane at the westerly end of the beach causeway, to prevent cattle from going upon the beach upon that side. These precautionary measures were important, but, as we shall find hereafter, they were not effectual in preventing the sea from making inroads upon the land.

At the same meeting of the freeholders, it was voted to impose a fine of 20s. on each and every person who should at any time carry off any drift-wood from any part of the beach between Little River and Great Boar's Head, without leave from the selectmen.

By law, in 1718, the town stock of ammunition was "a barrel of good powder, two hundred weight of bullets and three hundred flints, for every sixty listed soldiers, and after that proportion, for the listed soldiers of each town, whether more or less."

THE JENNESS DISPUTE.

The measures adopted on several occasions at an earlier period for preventing encroachments on the commons, by portions of them being fenced in, and in other ways, having been found ineffectual, the commoners again met, May 10, 1720, to consider the subject and determine upon some other course to be taken with the trespassers. They agreed that three men should be chosen, who, or any two of whom, should prosecute offenders according to law. They were not, however, to be hasty in commencing prosecutions. Upon complaint being made, they were to give notice to individuals complained of, to show their bounds according to the return of the laying out of their land, and then, if it should appear that a trespass had really been committed, to prosecute the offenders without delay. The selectmen for the time being were authorized to draw upon the town clerk, for money of the commoners deposited with him, to meet expenses incurred by the committee, in carrying on any suits that might be commenced by them. In case the money deposited with the town clerk should not be sufficient to meet their wants, a meeting of the commoners was to be called, to instruct the committee what further should be done. The men selected for this purpose were Mr. Nathaniel Weare, Capt. Jabez Dow, and Lieut. Jonathan Marston. This action of the commoners was nearly unanimous, only four persons dissenting, viz.: Thomas Marston, Simon Dow, Richard Jenness and John Jenness.

The principal ground of complaint appears to have been in relation

to the course taken by the two men last named. They lived in the extreme northeasterly part of the town, near the Piscataqua line and not far from the seashore, and claimed and had fenced in more land than the commoners considered them entitled to. That a settlement with them might be made peaceably, the committee met with them early in the next month, when it was mutually agreed to submit the case to arbitration; and at a meeting of the commoners on the 27th of June they ratified the doings of their committee, and voted to abide by the award of the arbitrators, whatever it might be.

The arbitrators agreed upon were John Plaisted, George Jaffrey, Joseph Hammond, Henry Smerby and Joshua Moody. The parties in controversy gave bonds to each other to abide by their award. After a two days' hearing and a careful examination of all the evidences, and papers relating to the premises, they made their award August 31: The said John and Richard Jenness, and their heirs and assigns were forever to hold unmolested, all the land that they had fenced in, on the south side of a certain brook running from Cedar Swamp; and they were to quitclaim all right to any other land in the North Division, on either side of the brook, than that which was then fenced in; and all controversies, lawsuits and differences, relating thereto, were thenceforth to be at an end.

"Memorandum. The Principal Considerations upon w^{ch} y^e bounds is Confirmed to Jennis according to y^e fence is that it appears to us that Jennis^{es} Lot was laid out in y^e year 1675 upon a South South-west line whereas it ought to have been on a West Southwest line."

[Signed by all the arbitrators.]

UNAUTHORIZED RETURNS NOT TO BE RECORDED.

Towards the close of the year, at a meeting of the proprietors of the undivided lands known as the cow commons, a vote was passed, forbidding the town clerk to record any return of land laid out by James Jaffreys, or any other lot-layer, unless of land which the person making the return had laid out by order of the proprietors or commoners, and the return accepted by them. The occasion for this prohibition is not mentioned, but it may be inferred from the language of the record, though we should hardly have conjectured that any lot-layer would take the responsibility of laying out, and making a return of any lot without being duly authorized.

At the same meeting, on the 5th of December, 1720, John Redman Ephraim Marston and Capt. Jabez Dow were chosen as a committee "to hear the demand, proposal, or complaint, of those men that had lost their shares in the North Division, and to make their report at the next

meeting of the commoners." What was done by this committee does not appear from any entry on the records; but about fifteen months afterward, at a meeting of the proprietors of the common lands, it appearing that some persons had said that they had lost all their land in the First North Division, it was voted to choose a committee of five men "to take, in behalf of the commoners, a quitclaim from these men of all their rights in that Division, so lost, and then to lay out in way of exchange, one third of the number of acres, which they said that they had lost," if on examining their claims they should find them to be just.

The committee chosen for this purpose were Capt. Jabez Dow, Dea. Nathaniel Weare, Capt. Joshua Wingate, Sergt. Ephraim Marston and Christopher Page. The time allowed them for doing their work was from the 10th of May to the last day of July following. On the 9th day of July, 1722, the committee made their report; having laid out about one hundred sixty acres of land to more than twenty men, in lots varying from two to twenty acres.

THE FIVE DIVISIONS; COMMONERS' MEETINGS.

At the last named commoners' meeting, another committee was chosen for a different purpose, consisting of the following men: Capt. Jabez Dow, Christopher Page, Simon Marston, Elisha Smith, Dea. Nathaniel Weare, Benjamin Hilliard, Capt. Joshua Wingate and Joseph Tilton.

A large portion of the land had been laid out and disposed of at an earlier period, but a considerable quantity, in different parts of the town, was still held in common by the proprietors. The committee was appointed to view this common land, and to determine, in case they should think it expedient to make any division, into how many parts the commons should be divided, with the understanding that the people of each part of the town should have their proportion in the part nearest to them. The committee was instructed to report at an adjournment of the meeting, one week later.

At the adjournment, the commissioners chose Col. Peter Weare, Dea. John Tuck, Dea. Nathaniel Weare, Capt. Jabez Dow, Ephraim Marston, Christopher Page and Capt. Joshua Wingate, a committee "to receive the claims of any on the commoners' land, and give in their opinion at the next commoners' meeting"—said committee to report who have just claims, and who have not.

The committee appointed to consider the condition of the common lands, and to recommend what new measures to adopt concerning them, after giving considerable attention to the subject, agreed upon certain measures, which were reported to the commoners, and

adopted by them, November 5, 1722. Hitherto, when any business was to be transacted about the commons, it had been necessary to call a legal meeting of *all* the commoners. At first, when they all lived within a moderate distance from the meeting-house, where their meetings were held, it subjected them to but little inconvenience; but as the settlement was extended, the commoners were spread over a much larger territory, some living remote from the center, so that they could not attend the commoners' meetings without the loss of considerable time. To obviate this the committee recommended, that the town should now be divided into five portions, to be called *Divisions*, and numbered from one to five, beginning on the easterly side of the town. In general, the ungranted, or common land, lying in each of these divisions, was to belong to, and be managed by the commoners living in, or near, the same division. As, however, it was not practicable to make the divisions in such a way that the quantity of common land in each of them should *exactly* correspond with the rights of the commoners living in the same divisions, it was necessary that some provision should be made to meet the case.

Accordingly, it was agreed "that the eastermost part of the commoners should belong to the First Division, until their proportion should take up all of it, and so successively round the whole town, reserving always lands for such highways to other lands and grants, as might be thought convenient and be appointed for that end. In case there should not be land enough in the Fifth Division to satisfy the claims of the Falls people, the deficiency was to be made up from a tract of land lying within the limits of the First and Second Divisions, though not considered as a part thereof, but as forming a small division by itself. This tract was situated between Joseph Taylor's and Simon Dow's—probably including the southern portion of Black Swamp and of the Twelve Shares, and the whole of the Plains. If, on the other hand, there should be any common land remaining in the Fifth Division, after the Falls people had received their shares, it was to be shared equally by the commoners.

It was also voted, agreeably to the recommendation of the committee, that the majority of the owners of each division should have power to manage the affairs thereof as fully as *all* the commoners could do. If any lawsuit should be commenced against any of the cow-commoners concerning their land, the expense should be borne by all the commoners, and the gain or loss shared among them all in proportion to their interest in the commons. It was further agreed to reserve sufficient land to satisfy all claims that the commoners considered just.

The parsonage shares were to be laid out in the first three divisions—one share in each of them.

A committee was chosen to complete the arrangement by ascertaining who were the lawful owners of the commons, and assigning to each one his proportion,—the committee to be upon oath. They were also authorized to employ some surveyor not belonging to the town—Mr. Wade being preferred. The committee chosen, were: Lieut. Jonathan Marston, Sergt. Joseph Taylor, Simon Marston, Capt. Joshua Wingett, Lieut. Benjamin Hilliard.

Soon after the survey of the common lands had been completed, there was a meeting of the proprietors of the "Five Divisions" (October 26, 1722), at which they authorized the committee previously appointed for the laying out of these divisions, to determine the rights of claimants, and "to settle men in their rights." It was considered important, also, as each division had been empowered to manage and order its own affairs, that some rule should be established, to which all the divisions should conform, in calling their meetings. It was therefore voted that the owners of ten shares in any division should have power to warn a meeting of the proprietors of that division, and that all votes passed at such a meeting should "stand good in all respects," and such votes as the proprietors should order to be placed upon the Town or the Commoners' Records, should be entered there by the town clerk—"they paying y^e fee"—and any entry thus made, was to be regarded as a good and sufficient record.

"THE CHESTNUT COUNTRY."

This year, the town of Chester was incorporated. With few exceptions, the grantees were non-residents, more than half of them being of Hampton and Hampton Falls. As early as October, 1719, "The Society for Settling the Chestnut Country," composed mostly of Hampton men, began to keep records, called later, "The Town Book" and "The Duplicate Book," the latter of which was in custody of Capt. Joshua Wingate, at Hampton, at whose house many of the proprietors' meetings were held. Capt. Henry Sherburne and Dr. Edmund Toppan were, a few years later, chosen a committee, to compare the two books, and see that they exactly agreed. In 1720, a grant of the township was obtained, and in 1722, Chester was given full town privileges, the grantees gradually selling their rights to settlers.

HIGH TIDE; THE MEADOW POND CREATED.

A great storm, attended with a very uncommon tide, was experienced in New England, on the 24th of February, 1728, an account of

which is given by Dr. Cotton Mather and quoted by Mr. Coffin, in these words: "An unusual high tide, higher by twenty inches than was ever known before. At the same time, the sea at Hampton broke over its banks for some miles together, and continued running for several hours." Dr. Holmes adds, that at Hampton it "inundated the marshes for many miles." Regarding the date, Dr. Holmes writes: "He (Mather) probably used the old style, which protracted the year to 25th March. I have therefore inserted the article under 1724."¹ With this opinion, Mr. Drake disagrees, and says: "I think, had that been the case, Mather would have written 1723-4. Besides, I find no allusion to the matter in some News-papers consulted, printed then in Boston. Again, Dr. Mather says it was on 'the Lord's day,' and Lord's day did not happen on Feb. 24th, 1724, but it does fall on the 24th, of 1723." Had Mr. Drake looked a little farther, he would have found one contemporary paper, *The Boston News-Letter*, which contained an account of the storm. This paper may be seen to-day in the library of the Massachusetts Historical Society. The communication begins as follows: "Feb. 25, 1723. Yesterday, being the *Lord's Day*, the *Water* flowed over our Wharfts and into our Streets to a very surprising height. They say the *Tide* rose 20 *Inches* higher than ever was known before. The *Storm* was very strong at *North-east*." The date is therefore conclusively fixed as February 24, O. S. or, according to present reckoning, March 7, 1723.

The importance of establishing the date will be seen by the results in Hampton; for the tradition about this wonderful tide and its ravages is substantially as follows:

Inside of the banks of sand which lay along the shore, and served as barriers against encroachments of the ocean, was a large tract of low, swampy land, extending southward from Nut Island, a mile or more. This tract, known as Huckleberry Flats, was dotted over with hassocks, on which grew huckleberry bushes and alders. The spaces between the hassocks were usually wet, though covered with grass, whose numberless roots closely intertwined, together with the grass itself, formed a sort of mat, resting on the soft mud beneath, on which a man might walk, though the grassy mat trembled at every step taken. Through this tract flowed a large brook, or rivulet, called Nilus.²

At the time of the storm, the hassocks, filled with the roots of the bushes, the spaces between them, with their net-work of grass-roots,

¹Holmes' Annals, I: 534.

²Charles M. Lamprey, Esq., who owns land in this tract of meadow, has found stumps of trees, deeply embedded in the mud, furnishing proof that the land was once wooded.

and the mud and water beneath, were firmly frozen to a considerable depth. The severity of the storm and the extraordinary height of the tide gave such force to the waves, that they swept away the sand-banks on the shore, and the whole of the tract described and hundreds of acres of salt-marshes were inundated. The surging waters soon found a way under the thick, hard-frozen crust on the flats, and raising and breaking up a large portion of it, bore the fragments along with the current, over the marshes, till they found a resting place, or were swept into the ocean.

When the storm had ceased and the flood subsided, a large part of the swampy tract that has been described had become a POND, covering several acres. Into this pond, the brook Nilus flowed; but southerly of the pond, where it had run nearer the seashore, passing below the end of the causeway, as it now is, and the road to Great Boar's Head, about thirty or forty rods, and then turning to the west into the marshes, where traces of the "old river" are still seen, the brook had been filled up with *debris*, so that an outlet was made by digging a wide ditch from the pond to the river below. This outlet is called the *Eel-ditch*.

About the first of March, a boat with three men and a boy—their names not given—coming from the Piscataqua river to Hampton, was driven off to sea, and one of the men perished with the cold. The others succeeded in reaching the land on the third day, running their boat ashore upon our beach. The boat was lost. Those on board saved their lives, but were all of them much frozen.¹

THUNDER STORMS.

The year 1727 is noted for its thunder storms and its earthquake. Two instances of danger to life and yet of escape from injury, by lightning, are related of Hampton people, by the Rev. Mr. Gookin.

"A little after break of day [April 10], a thunder storm came over this town. At first the thunder was but low, and seemed to be at a distance; but all at once came on an amazing clap; the lightning then fell upon the house of Mr. Edward Shaw. It took off all that part of the chimney which was above the roof, and broke down all the fore part of the chimney in the northeast end of the house till it came to the chamber hearth. In the lower room of that end of the house, where the man's mother [Mrs. Esther Shaw, 82 years old] and one of her grandchildren lodged, it took a small table, within four feet

¹*Boston Gazette*, March 9, 1734.

of the head of her bed, and carried off the leaf of it, throwing it towards the bed. It went from thence down into the cellar, where it moved two hogsheads, which stood near the foundation of the chimney; one of them, which was full, was turned partly upon its head; the wooden hoops upon it were all loosened, but the iron hoops were not moved. In its passage into the cellar, it went through the hearth, where, after the rubbish was removed, was found a large hole that was made by it; and in the foundation, a little over one of the hogsheads, was observed a small hole, where it is probable the lightning had its vent. In the southwest room of the house, where the man and his wife lodged, it entered into a small cupboard, where it broke divers earthen dishes, but yet the door of the cupboard was not burst open. . . . No person in the family was hurt."

"In the afternoon of July 5th we had another thunderstorm: Mr. Samuel Palmer, Jun^r (Esquire Palmer) was then riding towards the woods, having behind him his little son, a child of about seven or eight years old. As they were travelling along there came a very terrible clap of thunder: the lightning struck two trees (twelve feet asunder) which were but a hundred yards before them, and but about fifteen yards on one side of the path in which they were going; it tore one of the trees all to pieces, and threw some of the splinters into the path. They were riding a good pace, so that in less than a minute they would have been up with the place where the lightning fell, and so would probably have been killed by it. There was as it were but a step between them and death."

This summer of 1727 was one of extreme heat, which continued many weeks without rain, so that the fields became dry and parched and "many wells and springs of water failed that never had before. . . . In the midst of this sultry heat and in the evening of a very parching day (August 1), the heavens broke out into a continued blaze of flame and thunder, horrible to behold and hear, for two hours together. The flashes of lightning were without intermission, and consequently, the peal of thunder perpetual in our ears."

EARTHQUAKE OF 1727.

This was the second great earthquake since the settlement of New England. It occurred about half past ten o'clock in the evening. In the afternoon before, Rev. Nathaniel Gookin, pastor of the old church, preached a sermon, which, at the request of his people, was published, together with three other discourses, two of which were occasioned by the earthquake. In an appendix to the volume containing these ser-

mons, is given "some account of the earthquake as it was at Hampton." A considerable portion of this account is transferred to these pages :

"The earthquake, which was felt throughout the country, in the night between the 29th and 30th of October, 1727, was in this town much as it was in other places, of which there are divers printed accounts."

"The shake was very hard, and was attended with a terrible noise, something like thunder. The houses trembled as if they were falling; divers chimneys were cracked and some had their tops broken off. It was especially so in the south parish, where the hardest shake seemed to be on the hill, where the house of God stands. Three houses on that hill had their chimneys broken, one of which was the house of the Reverend Mr. Whipple. When the shake was beginning, some persons observed a flash of light at their windows, and one or two saw streams of light running on the earth; the flame seemed to them to be of a bluish color. . . . The sea was observed to roar in an unusual manner. The earth broke open, near the south bounds of the town and cast up a very fine bluish sand. At the place of the eruption there now¹ continually issues out considerable quantities of water; and for about a rod around it, the ground is so soft, that a man can't tread upon it without throwing brush or some other thing to bear him up. It is indeed in meadow ground, but before the earthquake, it was not so soft but that men might freely walk upon it. A spring of water, which had run freely for fourscore years, and was never known to freeze, was much sunk by the earthquake, and frozen afterwards like any standing water."

The writer goes on to state, that there were other shocks the same night; and that the sound and the shake were very perceptible, at times, every day for a fortnight. Afterward it was heard, but less frequently.

On December 24th, at night, there were two shocks; the first of which was very loud and jarred the houses. There were also shocks felt the next month, on the 1st, 6th, and 16th; and on the night of the 24th, there were two shocks, which made the houses tremble.

"It is hard to express the consternation that fell on both men and beasts, in the time of the great shock. The brute creatures ran roaring about the fields, as in the greatest distress; and mankind were as much surprised as they, and some with very great terror."

RING SWAMP.

November 29, 1727, there was a meeting of the proprietors of the

¹This account was written Jan. 25, 1728.

Second Division, which included "Ring Swamp," when that tract was divided into north and south parts; and these laid out, the north part into eighteen, and the south into twelve lots, which are severally described. The descriptions, however, being in part unintelligible now, are of little interest, except in a few allusions. The "burying-place" and the "ten rod road" are familiar. "The malt-house quarter acre and a way 1 rd. wide from the road to the malt-house ground" are mentioned. This ground was probably an enlargement of the original half a quarter of an acre, granted to Ephraim Marston fifteen years earlier. Probably the fort had been removed, as no mention of it is made in this division of the Ring.

The "school-house acre which is 10 rds. wide on the road, running 16 rds. south, of uniform width," is named. Also, a "common ground behind y^e meeting-house." This ground has, in modern times, been now and then claimed by the abutters. "Two acres for y^e ram pasture," were situated opposite Mr. Isaac Emery's.

September 29, 1746, it was voted, "that the selectmen should meet at Ensign Leavitt's on the first Tuesday in November, to sell the ram pasture to the highest bidder." Thomas Rand bought it; and two years later, it was voted, to give him £5 old tenor on account of its falling short in measure.

CHICHESTER.

May 20, 1727, the charter of Chichester was granted to sundry persons, partly at least, of Hampton, whose names do not now appear. The conditions were that the proprietors, within three years, build sixty houses, clear three acres of ground, settle families there and pay the town charges. A meeting-house was to be built within four years, and some minor stipulations were made.

Sometime after the three years had expired, on May 5, 1731, Joseph Towle, Thomas Marston and more than *ninety* others, inhabitants of Hampton, petitioned the Legislature for a grant of waste land for a township, somewhere in the province, suggesting that Chichester had been originally intended for Hampton, but that its charter had been forfeited by a neglect to comply with its provisions; and that, on account of the loss of that township they were now entitled to favor. The proprietors stated that, having met with more trouble and greater difficulty in running boundaries and clearing the way to said township than they had anticipated, they had not been able fully to comply with the conditions of the charter, and asked for more time; and one year was granted. Among the proprietors at that time were Nathaniel Weare, Richard Jenness, John Samborne.

February 28, 1733, a committee of the proprietors asked for a further extension, on the ground that their meeting-house and some dwelling-houses had been consumed by fire. The numerous signed petition for a grant in the waste lands seems to have come to naught. Chichester was not settled till 1758, and then not from Hampton.

COURT OF QUARTER SESSIONS.

By an act of the General Court in December, 1730, three of the terms of the courts of General Quarter Sessions of the Peace, and Inferior court of Common Pleas were removed from Portsmouth to Exeter, Hampton and Dover, where they were to be held in March, June and September respectively.

The next year, in June, a pillory was built in this town by order of His Majesty's Court of Sessions then sitting here. The whole charge was forty shillings, which was allowed by the General Court, and paid out of the treasury. By the laws of the province, several offences were at that time punishable by sitting in the pillory; and as a term of the courts was now held at Hampton, this instrument of punishment was needed to facilitate the execution of such sentence.

The town "voted that y^e Corte may beheld in y^e meeting-house."

HOGREEVES.

March 9, 1731, among town officers chosen, were "Timothy Dalton and Ezekiel Moulton, to see y^e Law executed Concerning yoking and ringing Hogs;"—*hogreeves*, in fact—an office continued year after year, from early times down into the present century, as long as swine were suffered to run at large. The ring in the snout prevented the animal from rooting, and the yoke, of specified dimensions, secured gardens and other enclosures from mischievous intrusion. Woe to the hapless wight whose swine were found at large by the vigilant hogreeve, unyoked or unringed! A fine for each offence was rigidly exacted.

A few years later:—Voted, "that for the futter if any person shall have any stray sheep in his or their costidy, and do not cry the same in the space of fifteen days on the meeting House door shall pay a fine of ten shillings, one half to him or they that do inform or come plain of such concealing of sheep, the other half to y^e select men for y^e use of the Town."

INVENTORY IN 1732.

In 1732, the quantity of land in Hampton, rated as "planting and mowing land" was 2378 acres; as "pasture land," 2546 acres; the

number of "Heads," 257; of houses, two stories high, 142; one story high, 29; oxen, 241; cows, 486; three year olds, 198; two year olds, 201; one year olds, 277; horses, 158; swine, 45. The assessment on Dr. Sargent's negro slave was £12; on Jonathan Elkins' and Capt. Thomas', £20 each; on Dr. Toppan's Indian slave, £18.

The invoice, from which the above is taken was made by Capt. Jabez Dow and Samuel Palmer, Jun., who were chosen by the town for that purpose. They certified the same, April 12, 1732.

In Hampton Falls, which then included all the territory lying on the south side of Taylor's river, which formerly belonged to Hampton, the number of polls was 256; of two-story houses, 144; and of one-story houses, 46. The whole amount of property invoiced, belonging to Hampton, was £9974 14s.—and to Hampton Falls, £9575. Of a province tax of £1014, raised in 1732, Hampton was required to pay £94 12s. 6d. and Hampton Falls, £90 16s. 3d. Hence it appears that the two towns formed from what was originally Hampton, were nearly equal in those respects in which they are here compared. The province tax paid by both towns was more than one-sixth part of the whole sum raised in the province.

Once before, in 1724, Capt. Jabez Dow performed a similar service for the town, when, the council and assembly having ordered an election of delegates, to meet in Portsmouth on the first Monday in September, to make a new apportionment of the province tax, he was chosen to represent Hampton.

TAVERN BURNT AND REBUILT.

About the middle of March, 1733, the tavern house of Widow Mary Leavitt, which stood on the Portsmouth road, near where the house of the late Samuel G. Carswell now stands, took fire and was entirely destroyed. It was the Sabbath, and the fire broke out in time of public worship, when nearly all the people were at meeting, so that for want of help, most of her goods were lost. A correspondent of the *Boston Weekly News Letter*, writing from Hampton the next Friday, March 23, says: "The next day after the fire, the neighbors got together with eight-score oxen, as we hear, to draw her timber for a new house, which is now almost framed, and would have been raised this day, if the storm yesterday had not prevented." The house which Mrs. Leavitt's neighbors so kindly and so promptly assisted her in building, a large two-story house, was, many years afterward removed to another site, and is the one now owned and occupied by the heirs of David Towle, on the road to Drake Side.

TERRITORY ANNEXED TO RYE.

In the autumn of 1780, the families of Joseph Brown, James Fuller, Joseph Marston, Francis Locke, John Jenness, Richard Jenness and Joseph Philbrick were, with their estates, severed from Hampton and annexed to Rye. The act of the General Court was rather loosely drawn, was susceptible of different constructions, and was, in fact, very differently construed in the two towns interested. In this town, it was held that it transferred to Rye, as the estates of those named in the act, only the land on which they lived and other land of theirs adjoining thereto; while in Rye, it was construed to include all the lands then owned or that might afterward be purchased by them, in whatever part of Hampton they might lie; and that, by the Jennesses and Philbricks mentioned in the act, were intended all persons in Rye bearing those names; and that all the lands owned by them belonged to and were taxable in that town.

In consequence of these different constructions of the act, the same persons and estates were, in some instances, taxed in both towns. In the month of March, 1788, Benjamin Lamprey, Jun. was actually imprisoned by the constable of Rye, for refusing to pay certain taxes assessed by that town, although he lived a considerable distance in upon the second North Division in Hampton, no part of which division had been included in the act referred to.

Previous to the imprisonment of Lamprey, the selectmen of this town had petitioned the governor and the General Court for an explanation of the act. After more than a year's delay an act was passed, November 16, 1788, defining the former act, and describing the line between the two towns. By this explanatory act, the construction of the people of Hampton was confirmed, without any material variation.

About eighteen hundred acres of land, much of it of good quality, and now valuable on account of its location, as well as its fertility, were thus severed from Hampton—the tract embracing all the land now included in Rye lying southerly of Jenness' beach in that town, and a considerable quantity on the north side of it. The line thus established was a very irregular or zigzag line, and so it has ever since continued, though altered somewhat in the course of years.

THROAT DISTEMPER.

A new epidemic disease, not limited to any one town nor any small section of country, made its first appearance in May, 1785, in Kingston. This epidemic soon became known as the *throat distemper*, or, *throat-ail*. It was often spoken of as the *putrid sore throat*. Dr.

Belknap says of the disease: "The general description of it was a swelled throat, with white or ash-colored specks, an efflorescence on the skin, great debility of the whole system and a strong tendency to putridity." He relates that the first person seized was a child, who died in three days. About a week after, in another family at the distance of four miles, three children were successively attacked who also died on the third day. It continued spreading gradually, in that township, through the summer, and of the first forty who had it none recovered. In August it began to make its appearance at Exeter, six miles northeastward; and in September, at Boston, fifty miles away southward; though it was October, before it reached Chester, the nearest settlement on the west of Kingston.

"On its first appearance in Boston, it was supposed to be nothing more than a common cold; but when the report of the mortality in New Hampshire was received, and a young man from Exeter, whose brother had died of it, was seized (October 1735), the house was shut and guarded, and a general alarm spread through the neighboring towns and colonies. Upon his death, no infection was observed in that house or neighborhood; but the distemper appeared in other places, which had no communication with the sick. The physicians did not take the infection, nor convey it to their families, nor their other patients. It was therefore concluded that it was not like the small pox, or the plague, communicable by infection, from the sick or from clothes; and the physicians, having by desire of the selectmen, held a consultation, published their opinion, that it proceeded entirely from 'some occult quality in the air.'" [*Weekly News Letter*, April 29, 1736.]

In Hampton Falls, according to Belknap, twenty families buried all their children; and more than one-sixth part of the inhabitants died within thirteen months; while in the whole province, not less than one thousand fell, of whom above nine hundred were under twenty years of age.

The disease broke out in Hampton in the autumn of 1735, the first victim, a son of Thomas Brown, dying on the 1st of October; after which, seven more deaths from the same cause occurred to the close of the year; and sixty-four during the next year, fourteen of which were in March. The town then included North Hampton.

The mortality was greatest among children, forty-seven of the deaths, about two-thirds of the whole number, being of children under ten years of age. Of the rest, fourteen were between the ages of ten and twenty; nine, between twenty and thirty; one, just past thirty; and one, more than ninety.

By the close of 1736 the scourge had about spent itself, but one or two cases proving fatal the next year.

CHAPTER XI.

NORTH HAMPTON. 1719-1742.

FIRST PETITION FOR A PARISH.

THE original settlement around the "meeting-house green" became, in time, too limited for the increasing population, which spread out, not always in close proximity to the old homes, but now and then in isolated spots whose present condition or future prospects seemed desirable. Such a settlement grew up in the north part of the town. Naturally, the interests of these families clustered largely about their own locality. As numbers increased, the new ties were strengthened, the old ones correspondingly weakened. Why, they began to ask, should they be at the inconvenience to take the long way to the old church every Sabbath? Why not have a church and a pastor of their own?

As early as 1719, therefore, they petitioned the government to form a new parish in that part of the town. The selectmen also appeared at the council board, to make their objections. After a hearing on both sides, the council ordered that the prayer of the petitioners be granted, and that Mark Hunking, Shadrach Walton, Nicholas Gilman and John Gilman, Esqrs. be a committee to determine the boundary line between the old parish and the new.

The committee made their report on the 29th of May, as follows: "That the said Parish at the north end of Hampton aforesaid, should take its beginning at the North Tree betwixt Hampton and Portsmouth, and to measure three miles south from said North Tree, and there to make a bound mark; and from thence east-south-east, two degrees east down to the sea; and from said bound mark three miles to the south of said North Tree aforesaid, west-north-west two degrees west, till they meet Hampton line which runs betwixt said North Tree and Stratham;" and these lines, when run out, to be the boundaries of the parish. The project, however, failed at that time, as it was not acted upon by the House of Representatives, and no further attempts were made to form a new parish till 1734, a period of fifteen years. In the meantime, about eighteen hundred acres of this tract had been annexed to Rye.

OPPOSITION.

Not for a moment, did the petitioners abandon their purpose, but a reason for this long postponement of their hopes seems probable from the next attempt. It does not appear that any opposition was made at first, in the proposed parish itself; but in the autumn of 1734, a second petition, signed by thirty-five persons, was presented to the Legislature, setting forth the facts in regard to the former petition and the action thereon, and also stating that they had since erected a meeting-house; and they now asked that the parish in the north part of the town might be ratified, confirmed and established, within the limits proposed in 1719, except the portion that had been annexed to Rye. A remonstrance was also presented, signed by twenty-six persons living within the limits of the proposed parish.

On the 9th of October, a day of hearing was appointed, and an order of notice to Hampton made, by the Council and the House. On the 15th of October, the petitioners and remonstrants were heard by themselves and counsel; and the House voted that the petition be dismissed. The project then slumbered four years longer.

In November, 1738, after the refusal of the town to free the inhabitants of North Hill from paying their proportion of Rev. Ward Cotton's salary,¹ they again petitioned the General Court, twenty-eight men giving their signatures to the paper, representing the difficulties under which they had labored in attending public worship in the old town of Hampton, so that they had erected a meeting-house of their own; and praying that they might have liberty to maintain and support the worship of God among themselves; and that they, their estates, their polls and the polls under them, might be excused from paying any of the town rates or taxes.

The town sent Christopher Page, Senr. and Samuel Palmer to the court, to remonstrate.

NORTH HILL PARISH.

The petition was so far granted, that the North Hill people were discharged from the ministerial and school taxes of the old town of Hampton, so long as they should support an orthodox minister, and a reading and writing school master among themselves; but they were required to pay their proportion of the grant made by the town to Madam Dorothy Gookin, and all other town and province charges, ministerial and school taxes excepted. The act conferred authority to call meetings, choose officers, assess and collect taxes, and to do

¹Chapter XXII.

whatever might be necessary for accomplishing the object in view. It was approved by the Governor, November 17, 1788.

The first meeting of the new parish, under this act, was called by Daniel Sanborn, and was held at their meeting-house on the 21st of December. John Dearborn was chosen moderator; John Wedgwood, clerk; Benjamin Hobbs, John Godfrey and Jonathan Thomas, assessors; Job Chapman, collector; and Daniel Sanborn and Jeremiah Dearborn were chosen a committee to agree with Mr. Nathaniel Gookin, to preach in the North Hill meeting-house for three months.

At a parish meeting, March 20, 1789, having agreed to receive as a member, Mr. Joseph Dearborn, it was voted to be at the charge according to every one's ability, when a proper season should present, to have him poll from Greenland to the society at North Hill.

Mr. Gookin, who had been supplying the pulpit, appears to have closed his labors at this time. A committee was chosen to settle with him and to procure a minister for one year; Benjamin Hobbs and Joseph Dearborn were appointed a committee to ask advice of neighboring clergymen about settling a minister; £100 were raised to support the ministry and a school; and Daniel Sanborn was elected schoolmaster for the parish.

The meeting-house, though built several years before, still remained unfinished. It was now voted to give liberty to certain individuals to build a flight of stairs and to lay the gallery floors at their own cost and charge. These improvements seem not to have been made at this time, but at a later period and in a different manner.

May 8, 1789, the society voted to settle a minister within one year. Preparatory to this, they agreed to observe the 24th of May as a day of fasting and prayer. A committee was chosen to secure the attendance of five ministers; and another committee of four men, to consult with the ministers when assembled, to obtain their advice in the choice of a scholar to settle in the work of the ministry. Of this assemblage, and the advice given, there is no record. It is evident, however, that the attention of the people was soon turned towards Mr. Nathaniel Gookin himself, as a candidate for settlement, and on the 12th of the next month, negotiations were opened.

The society voted that so long as Mr. Gookin should continue with them in the work of the ministry, they would give for his support £110 a year for the first two years, and then add thereto £5 a year until it should amount to £140, which should thenceforth be his stated salary, but that one-third of this should be paid in provisions at such prices as should be agreed upon at the next meeting. They also voted that, if necessity should require and their ability admit,

they would make further additions. Among the supplies specified, the people agreed annually to furnish a sufficient quantity of firewood, and procure a convenient parsonage of at least ten acres of land, and fence the same, and build upon it a suitable house and barn for Mr. Gookin's use. At an adjourned meeting, June 25th, it was voted that they should look upon Mr. Gookin as in the work of the ministry, and so entitled to the salary, though he should be taken from the public service of the Sabbath by bodily indisposition. The prices of provisions to be furnished as a part of the salary were fixed as follows: Indian corn at 7s. per bushel; wheat, 10s. and barley, 6s.; beef, 6d. per pound; pork, 8d.

It was agreed at the same meeting, to raise a tax of £19 to defray the expense of completing two flights of stairs in the meeting-house and of laying the east and south parts of the gallery floors; making the "fore-seats" around the gallery; and placing six pillars under the girts. A committee of three was appointed to superintend the work.

Mr. Gookin, on the 28th of July, gave the parish the following answer:

"Brethren;

You having invited me to settle with you in the work of the ministry, I would certify you that I cannot suppose the salary you offer is sufficient to support a family. But seeing that, according to your present circumstances, it is a generous offer, and manifests your good disposition, honorably to support the gospel ministry among you, I depend upon it that you will lay out yourselves to the utmost, to keep my family from want, and will, as your abilities increase, make further additions to the salary. I accept of your invitation, demanding of you, as you will answer it at the great day, that you give diligent heed to the truths I shall bring you from the Gospel of Jesus Christ, and practice according to them; also that you be continually earnest at the throne of grace for me, that I may be a faithful and successful laborer in the Gospel among you.

I am yours to serve in the Gospel of Christ,

Nath^l Gookin."

Previous to this time, no church had been formed in connection with the new parish. Now it appears to have been arranged that a church should be formed and the pastor inducted into office at the same time. Preparatory to this, a considerable number of members of the first church, living within the new parish, asked of the church, September 23d, a dismission, in order to their being united in a church

state at North Hill.¹ Displeased with the whole proceeding, and probably piqued that the new parish had been established, notwithstanding their remonstrances, the church refused. The next month, a second application for dismission was equally unsuccessful. A council was convened on the 30th of October, when some communications passed between that body and the old church, which, however, still adhered to its former votes. The council then proceeded to organize a church and ordain the candidates without the concurrence of the old church. These transactions were on the 31st of October.

The next onward step for the new parish followed as a natural sequence. They had now grown strong and able to conduct their own affairs; and they aspired to the full privileges of a township. Accordingly, in the summer of 1742, a petition to that effect was presented to the General Court. Opposition by the people of Hampton had now largely given way; and the freeholders chose two of their number "to appeare at y^e General Court at there next setting in y^e behalfe of y^e Town to answare in y^e affaire of y^e pititioners of north hill. That we are willing that those parsons y^e pititioners which are desirous to belong to the parish at North hill should with their Estates belong there." The parish itself, however, was not unanimous; for, while the case was pending, a counter petition, signed by forty-seven persons was presented, "ag^t the Return for a Line &c. & y^t if y^e Line be settled y^t they may be Pol'd off to the old Town." Five days later, November 25, the following petition was also presented:²

"The Humble petition of us the Subscribers Most Humbly sheweth—that the houses and habitations of your petitioners are in the north-eastly part of the town of Hampton at or near Littel Bores Head near Lettel River or near the Sea and that we live most as near upon a Line to the meeting house at the town as to that at North hill and that it is much easier for us to go to meeting at the town than to North Hill by reason of the Goodness of the way to the town and there not being any way for us to go to meeting at north hill nor ever like to be unless we travil much farther than to go to the meeting house at the town.

Your petitioners Humbly pray that your Excellency and Honours would be pleased to take this petition into consideration and in your grate Goodness exempt us from paying to the support of the ministry at North hill and that we may still remain—and be taxed to the sup-

¹Chap. XXII.

² Prov. Pap. IX: 330.

port of the ministry and the other Publick charges of the town as we used to be and your pitioners as in duty bound shall ever pray

John Ratchelder.

Mosies¹ Lampre.

Thomas Hains.

Obadiah Marston.

Jeremiah Page.

Stephen Brown."

THE TOWN OF NORTH HAMPTON.

Both adverse petitions were dismissed, and immediately after, November 26, in the House, the "North Hill bill [was] read three times and past to be Enacted." On the 30th, it passed the assembly and was approved by the governor; and North Hill became thenceforth the town of North Hampton, under the following act:²

"Voted, That there be a Line settled, viz: Beginning at a large Rock in the Highway that leads from Portsmouth to Hampton over North Hill, Between the dwelling houses of Caleb Marston & Joseph Tole jun, & is the first great Rock in the Highway to the Southward of y^e widow Levitt's dwelling house & from s^d Great Rock to run on a Strait line to the sea at the mouth of y^e little River where it now Empties itself into the Sea & y^e to begin at the aforesaid great Rock & from thence to run on a strait Line to the lower Bounds Between Stratham & Exeter as Hampton line, that the Estates in the old Parish that belongs to the Poles in y^e North Parrish shall pay Rates to the new Parrish and the Estates belonging to the Poles of y^e old P'ish that lies in y^e North P'ish shall pay Rates to y^e old P'ish, and wherever the owner of the land lives there he & his Estate shall pay notwithstanding y^e Line settled, & if any stranger purchase the Land in either of the P'ishes he shall pay where the Land lies. It always intended y^t every p'son in each P'ish pay the grant to Mrs. Dorothy [Gookin] as usual by y^e whole Town, & y^t y^e Rates for y^e present yeare be p^d as they are ready made, & y^t y^e selectmen in each P'ish join in making Pro: Rates as also y^e both P'ishes joyn in choice of the *present* till further order."

Complications resulting in lawsuits grew out of these conditions in later years.³

Hampton had now yielded from her territory three townships and part of a fourth, and had shrunk to essentially her present proportions;—Kingston, including also East Kingaton, Hawke (now Danville) and Sandown,⁴ in 1694; Hampton Falls, including Kensington and part of Seabrook, in 1718; a large tract annexed to Rye, in 1780, and North Hampton, in 1742.

¹Probably should be Mories (Morris).
²Chap. XII.

³Prov. Pap. v: 174.

⁴Only a small part of Sandown, however.

What wonder that the old town sometimes parted reluctantly with her people and her lands! There is a pathos in this rending of ties, scarcely understood by us, who have passed beyond the period of royal edict and savage onslaught and the hard toil of pioneer life. But hearts beat warmly between town and town, and many a lover crossed the boundaries for his bride. Solidly those sturdy men and women stood against common dangers and hardships, and worthily they strove to plant the seeds of our prosperity.

CHAPTER XII.

REGULATIONS—LAWSUITS—CASUALTIES. 1733-1780.

FIRST TOWN TREASURER.

AT the annual town-meeting in 1747, Samuel Dow was elected *town treasurer*—the first, as far as appears from the records, ever chosen by the town.

It was voted that all money due to the town by bond, or in any other way, except the taxes assessed by the selectmen, and also the powder money, should be delivered into the hands of the treasurer, as it might from time to time be paid in; and he was authorized to loan the same at his discretion. For whatever sums he received he was expected to give a receipt, but no bond for the faithful performance of duty appears to have been required.

Voted: "The money the powder was sold for shall be laid out for powder again for the town stock, by Capt. Jonathan Marston."

It was also voted, though not without opposition, to sell by public auction the house and barn, that the town had several years before built for Madam Gookin,¹ who was now living with her daughter at Kingston. Subsequently (March 23), Philip Towle, Henry Fifield and Amos Towle were authorized to sell the buildings and one acre of land around them, and make a conveyance thereof in behalf of the town. The property was sold to Mr. Thomas Rand, and the proceeds divided with North Hampton. The town afterward ordered that £100 should be delivered to the selectmen towards paying the expenses of the town, so that the taxes of the next year might be diminished. Madam Gookin died the next year, and her funeral charges were paid from the remaining portion, the residue being passed into the treasury.

FIRST DIVISION APPORTIONED.

It has already been mentioned that the town allowed a fence to be built straight from Deacon Tuck's mill to the mouth of Little river, where it formerly flowed into the sea, to protect the beach against

¹ Chap. XX.

cattle feeding upon it.¹ When the Five Divisions were established, in 1722, this portion of the common land came into the First Division. At a meeting of the proprietors of that Division, November 29, 1733, it was proposed to dispose of a tract of muddy ground or flats, sometimes called "The Huckleberry Flats," lying on the south side of the line of the fence between the fresh meadow and the beach, for the purpose of building and maintaining a fence, agreeably to the order of the town. It was planned to divide the whole tract into twelve lots, to be assigned and secured to any who would engage to build and keep in repair a fence on this line. Eighteen men pledged themselves, and in 1738, gave bonds to do this, six of them to build one-twelfth of the fence each, and the other twelve to build one twenty-fourth part each.

"Great bodies move slowly." This tract, since known as *The Plantation*, was laid out July 18, 1747, by a committee consisting of Christopher Page, Sen., Dea. Josiah Moulton and Simon Dow, with Samuel Palmer as surveyor; and their return was accepted by the proprietors. The same day, these lots were drawn for by the men who had nine years before given bonds to keep up the fence. The result was as follows, where the numbers of the lots are followed by the names of those to whom they fell:

No. 1 Samuel Palmer, Junr.	No. 7 Joseph Rollins & Joseph Redman.
" 2 Heirs of Amos Knowles, deceased.	" 8 John Batchelder.
" 3 Christopher Page & James Hobbs.	" 9 Jeremiah & Elisha Marston.
" 4 Thomas Brown.	" 10 Dea. Josiah Moulton & Morris Hobbs.
" 5 William Moulton.	" 11 Joseph Batchelder.
" 6 Simon Dow & Stephen Batchelder.	" 12 Benjamin Lamprey.

This tract of land is described by the committee in their return, as lying southward of the line from Deacon Tuck's mill and the mouth of Little river, between said line and the northerly line of John Dearborn's grant in the old fresh meadow near the beach, and between the pond or river in said fresh meadow and Philbrick's Island and the beach. In laying out the land, they proceeded in the following manner: Beginning at the northwest corner of Dearborn's grant at the side of the pond, they measured eastwardly on the northerly side of said grant, thirty-one rods, to a stake standing at the northeast corner of the grant, "and from said stake [on] a straight line, running north fifty-six degrees east, over a large rock on the westerly side, on

¹Chap. x.

the upland on the island sometimes called Nut Island, in the range of John Batchelder's house at Little Boar's Head, until it comes to the aforesaid line from Tuck's mill to Little River's mouth."

Before the lots were drawn for, it was voted, that "no person should, on any account whatsoever, cut any grass or anything growing between the line forming the eastern abutments of the lots, and the beach," without the consent of the majority of the proprietors.

Although *Huckleberry Flats* was a small tract of land, and not of great value, yet nearly fourteen years elapsed from the time when the first movement was made for laying it out, before the business was finished. In the meantime, however, the proprietors of the First Division had caused all the rest of their common land to be surveyed and laid out, and assigned by lot to the proprietors.

In the spring of 1748, William Moulton, Philip Towle and Moses Perkins were chosen a committee, to take charge of the town's stock of *snow-shoes* and *moccasins*, and dispose of them as advantageously as possible for the town, giving one pair of the snow-shoes, however, to Elisha Johnson.

THE LITTLE SHARES.

The proprietors of the Ox Common, most of which was finally divided in 1714,¹ continued to regulate their affairs as to fencing, sweepage and seedage much as before. October 31, 1749, it was voted: "That all the undivided marsh between *the pines*, so called, and the River's mouth, shall be laid out."

"That all the flats and beach grass to the southward from the pines, so called, to the River's mouth, belonging to the ox-commoners, shall be laid out within ten rods of the sea bank."

"That if the sea bank should extend further westward, the shares shall draw back and keep the same distance above-mentioned."

"That Dea. Josiah Moulton, Dea. Joseph Philbrick and Benjamin Dow shall be a committee to lay out the above-mentioned marsh, flats and beach grass."

At an adjourned meeting, November 14, 1749, the report of the committee was accepted, and the shares divided "by the last list, when the shares were drawn for forever." This was the origin of what are still known as the "Little Shares."

At the annual town meeting, March 12, 1751, Jabez Smith, Esq., Dea. Jonathan Tuck and Mr. William Stanford were chosen "to examine into the accounts of the town treasurer and committees and se-

¹ Chap. x.

lectmen for the year past, and make report to the town." This appears to have been the first board of *auditors*.

BROWN AND SHAW CLAIMS AT THE NEW PLANTATION.

Before the close of 1751, the town had become involved in lawsuits growing out of grants of land, that had many years before been made at the New Plantation. Jonathan Shaw was appointed town agent, and with him was associated John Nay, to manage such suits as were then pending. Soon afterwards, however, Mr. John Smith was appointed agent, with full powers, to defend an action commenced against the town by Benjamin Brown, of South Hampton, and his wife Abigail (Longfellow) Brown. Subsequently, at Mr. Smith's request, Mr. Philip Towle was joined with him as an agent in this case.

Another suit was brought against the inhabitants in the *right* of one Benjamin Shaw, deceased, to recover damages for not laying out a tract of land alleged to have been granted to him within the tract called and known as the New Plantation. The inhabitants being apprehensive that other actions might be brought in the same way, but yet believing that there was no just ground for sustaining them, determined to have the subject thoroughly investigated. In January, 1753, therefore, they chose a committee to consider what defense might be made in all cases of claims "against the inhabitants of that which was called Hampton at the time when such grants are said to have been made." For this purpose the committee were to ascertain what grants, rights, titles, interest or property in lands had heretofore been made by the town, to any, in satisfaction for grants at the New Plantation. The committee chosen consisted of Samuel Palmer, Esq., Dr. John Weeks and Capt. Ephraim Marston; and the town gave them full power to act according to their discretion, either alone, or in conjunction with any other committee, or committees, that might be chosen by any other legally incorporated parishes or parts of what at an earlier period constituted the town of Hampton. They were also directed "to pursue, prosecute and carry into execution any and all such measures as they should agree in considering necessary for the defense of the inhabitants."

As in this case the coöperation of the inhabitants of the other parishes would be important, the committee now chosen, sought to obtain it by making to them a statement of the case. The following letter was addressed to the selectmen of Hampton Falls:

GENTLEMEN:

As you have doubtless heard that a claim founded on the supposed Rights of land in that [tract] called in Hampton the New Plantation, has been revived and prosecuted against the Inhab-

stants of what is now called the town of Hampton, and as you are sensible the Grant, or what is supposed to be a Grant of Land to those mentioned in the Records relating to that matter, was made by the town as it was in the year 1668, and in that view is a thing of considerable consequence to all those Estates comprehended within those limits, which, if any thing is recovered, must be finally liable to make it good, we can't but judge it prudent for us all to advise and consider what measures to take to answer any such claims, we therefore request you to insert a clause in your warrant for calling the next Parish meeting, to choose a committee of three or more of your ablest men (especially as you have some *ancient* men among you who are acquainted with and knowing of what was formerly done in this matter) to advise with our committee, and resolve upon the best means they are capable of for the general safety herein.

We are, &c.

Hampton, February 8, 1758.

Samuel Palmer	} Committee.
Ephraim Marston	
John Weeks.	

A copy of the above letter was found among files of town papers some years ago, and no answer from the selectmen of Hampton Falls was filed with it, or has since been found, so that it is uncertain what was the result.

Following the usual course of lawsuits these cases dragged their slow length along, as will be seen farther on.

SECOND APPEARANCE OF THE THROAT DISTEMPER.

In 1754, the town was again visited by the malignant throat distemper, the same disease that had made such fearful ravages eighteen years before. Whatever hopes may have been at first entertained, it soon appeared that the disease had lost none of its virulence. Two cases in which it proved fatal had occurred in the preceding autumn, and a few others in the spring; but it was not till the month of June, that it excited much alarm. At that time it attacked several members of the family of Mr. Elisha Towle, and three of his children between three and seven years of age died in the course of five days, the first on the third, and the last on the seventh day of the month.

Mr. Amos Towle, a cousin of Elisha, having lost a daughter by this disease, a few months before, now became very much alarmed, lest he himself should fall a victim to it; and in order to avoid all contact with it, he shut himself up in his own house. But it was of no avail. The dread disease again entered his dwelling, and on the 13th of July, one of his children — a son nearly ten years old — died.

Mr. Towle himself died three days afterward. Deaths now occurred in rapid succession. Before the middle of October, that is, in less than four months and a half, thirty-two persons had died. After that time only five cases proved fatal till the next May; but during that month six others fell; so that there were forty-three deaths from this disease alone, and with fourteen from other causes, the alarming total swelled to fifty-seven in the space of twelve months.

With the single exception already mentioned, *all* the victims of this disease were children and youth. Of the first eleven deaths, ten were of *Towles*, though belonging to different families.

EARTHQUAKE OF 1755.

On Tuesday, November 18, 1755, occurred the third great earthquake felt in New England since its first settlement. This has been considered more violent than either of the others. It occurred "in the morning about an hour and a half before day." "The weather was remarkably serene, the sky clear, the moon shone bright, and a solemn stillness pervaded all nature at the time it commenced." The shaking of the earth was so great that several chimneys in this town were thrown down. The agitation was as perceptible on the sea as on the land. The shock was so severely felt on the vessels in Portsmouth harbor, the men on board thought they had struck on the rocks. The earthquake occurring at an hour when the mass of the people were asleep, many of them being suddenly awakened, were very much terrified, not immediately perceiving the cause of the commotion. The older people, however, had not forgotten the earthquake of 1727, and now, as on that occasion, they recognized the hand of God in the occurrence. Two days afterward a meeting was held in Hampton, at which the pastor of the church preached from Psalm cxix : 120. "My flesh trembleth for fear of thee and I am afraid of thy judgments."

Shocks were frequently felt during the next fortnight. The most considerable one occurred in the evening of Saturday of the same week, about half-past eight o'clock. One who experienced it, calls it "a very great shock." He says: "Our house trembled very much. To our surprise it was cloudy and rainy all night long."

About two weeks after the first shock, the people of this town observed a day of fasting and prayer, "occasioned by the terrible earthquake and the war,¹ by which God is seeming to frown upon us by the aspects of these judgments which we see and hear." Sermons were preached by Rev. Joseph Whipple of Hampton Falls, and Rev. Jere-

¹French and Indian war.

miah Fogg, of Kensington, the former from the first clause in Jeremiah III : 22, and the latter from Amos III : 4-8.

NEW PLANTATION LAWSUITS SETTLED.

Early in the year 1756, Nehemiah Brown, of Kensington, and Anne his wife made a claim in her right to one hundred acres of land, said to have been originally granted by the inhabitants of Hampton to the right of Thomas Ward, to be laid out and satisfied on some part of the common land in the town not previously laid out and appropriated to any private or particular use. The right, it was claimed, had been vested in Nathan Longfellow, late of Hampton Falls, and by him bequeathed to his daughter Anne, the present claimant, who now with her husband demanded that the quantity of land claimed should be laid out to them. A writ was served on the inhabitants by the sheriff and the damages laid at £1500.

This case was similar to others previously brought against the inhabitants for not laying out land at the New Plantation, according to certain grants made in 1663. The principal ground of defense seems to have been, that, by the act of the government, incorporating the town of Kingston in 1694, the town of Hampton had been precluded from making good these grants, as a considerable portion of the New Plantation, lying within the limits of the new town, had been thus put beyond their control.

On this occasion, they held a meeting, February 16, and appointed Col. John Weeks and Mr. Philip Towle as their agents, with full powers to manage the case in their behalf. The same men were also empowered to act as agents in any other suit or suits that might be brought against the inhabitants and freeholders, with like powers as in this case, and to do any other matter and thing, that they might judge proper in the premises, and also to confer and join with any committees chosen by any of the parishes formerly included in the town of Hampton. The suit of Brown and wife was entered at the Inferior Court of Common Pleas, where it was expected to come to trial in June.

At the next annual town meeting, March 15, 1757, the selectmen of the last year were authorized to settle accounts with the three agents, Col. Weeks, Philip Towle and John Smith, about all the cases brought against the town by Jonathan Longfellow, who was the attorney in the several suits in satisfaction for early grants at the New Plantation.

CAST UP BY THE SEA.

"A large whale, 40 or 50 feet in length, having 8 irons in her, drove on shore at Hampton" about the first of November.

The wreck of a Hampton-built vessel occurred, which is thus announced in the *New Hampshire Gazette* of December 13, 1756:—
 “Last Monday Night between 8 and 9 o'clock, a new Ship belonging to this place [Portsmouth], was cast away upon Ragged Neck [in Rye] in coming round from Hampton, where she was built. She is so bilged and broken, that there are no hopes of getting her off again.”

In 1758, another shipwreck occurred, the only account of which that now remains, as far as can be ascertained, being this item from the *New Hampshire Gazette* of February 24:

“Mr. [W^m] Long sailed from Lisbon in a Brig, bound to Marblehead, and yesterday sennight was cast away on Hampton Beach. Her cargo which is salt is entirely lost; but it is hoped the Brig will be got off again. The men were all very much frozen.”

SMALL-POX.

In the spring of 1758 a few cases of small-pox occurred in the town. It was brought by an Irish woman, who came into the family of Mr. Joseph Redman, and died there on the first day of May. The disease was communicated to the family, and Mr. Redman and his wife both died; the latter, on the fourth of May, and the former, on the fourth of June.

In the meantime the infection had been communicated by Dr. Emery, the attending physician, to his own family. The selectmen now thought it best to provide a pest-house, agreeably to the provisions of the law. They accordingly impressed the dwelling houses of Samuel Palmer, Esq., and Jeremiah Moulton—standing near each other—and appropriated them to this use. The next day the family of Dr. Emery were removed thither. His wife and daughter and one of his sons, then, or soon after, had the disease, but they all recovered, and the infection spread no farther. The houses were not cleansed, so as to be again occupied by their owners, till the thirtieth of June—having been used as pest-houses seven weeks.

The owners of these houses demanded of the selectmen £250 each, old tenor, as damages. As payment was refused or delayed, Mr. Moulton sued the town the next February for £270; but as the records furnish no evidence that such a suit was carried on, it is probable that a settlement was effected between the parties.

A suit had also been commenced by the town against Dr. Emery, for the cost and charges occasioned by removing his family to the pest-houses, and providing for them while they were there. This was done agreeably to a vote of the town, to which, however, there had been considerable opposition. Capt. Jonathan Moulton and Col.

John Weeks were chosen agents for the town, and clothed with ample powers for carrying on the suit. The case came to trial and was decided in favor of the defendant.

Many of the inhabitants now wished for a settlement of the controversy, and the selectmen were requested to call a town meeting to consider the subject, but they refused. A meeting was then called by Jabez Smith and Meshech Weare, Esqrs. two Justices of the Peace, at the request of thirty or more of the freeholders and inhabitants. This meeting wholly failed of accomplishing the object aimed at. Every motion made for this purpose was negatived. The next day the selectmen posted a warrant for another meeting to consider the subject.

This meeting was held March 15, one week after the other. No disposition was manifested by the majority, to settle the suit as the court decided; and at another meeting five days after, the town voted to have the case reviewed, and chose Thomas Nudd to join with the former agents in its management. It is probable, however, that a different course was taken and that the case was settled without a review.

The dread of small pox was much greater at that time than it is at present. The proper treatment of the disease was not so well understood, and on this account a much larger proportion of the cases which occurred proved fatal. Vaccination has also done much towards removing this dread, by acting as a preventive in most cases, and by mitigating the severity of the disease, when contracted.

In the instance here cited, such was the feeling in relation to it, that the meetings on the Sabbath for several weeks were not held at the meeting-house, which was in the vicinity of Dr. Emery's residence, but at private houses. Public worship was not resumed at the meeting-house till the 27th of August, when the pastor preached from the 84th Psalm, beginning thus: "How amiable are thy tabernacles, O Lord of Hosts!"

In the spring of 1760, it was proposed in town meeting, to sell a part of the ten-rod road round the Ring, thus diminishing the width of the road. The proposition met with but little favor. The town not only refused to sell any part of the road, but voted also "to dismiss that affair and never to act upon it more."

At the same meeting, it was left with the selectmen to let out two-thirds of the schoolhouse acre for eight or ten years.

"THE STAGE IS COMING."

The first stage ever run in America, as is supposed, began its reg-

ular trips from Portsmouth to Boston and return, passing through Hampton, Monday, April 20, 1761. It was a curricie and span with room for three passengers. It made Ipswich the first day, Charlestown ferry the next, and was back in Portsmouth on Friday. Fare for the round trip, six dollars.

A crowd of children assuredly gathered about Toppan's corner, each eager to be the first to shout "The stage is coming." Women rushed to the doors and windows along the route, and many a man took a long gaze from his work in the fields. In these days of easy travel, one can scarcely realize how great an event it was.

At the annual town meeting in 1761, it was voted that pasture and woodland should be "rated" that year. Before that time no taxes appear to have been assessed on such land.

Samuel Palmer, Esq., was allowed £130, old tenor, "for all his trouble in letting out the Town's money for ten or eleven years past." Dea. Joshua Lane was allowed £10 for similar service.

Two years afterward, the selectmen were directed to sell the town's stock of powder, balls and flints, and to put the powder at £3 per pound.

In 1764, the town made provision for rebuilding the bridge over the river on the road to Hampton Falls, which was to be wharfed up with timber from the parsonage land,—the work to be done under the direction of the selectmen.

THE MAST-SHIP.

For a long series of years even till the Revolution, the sovereigns of England claimed exclusive right to every white pine tree in New Hampshire and elsewhere, fit for a mast for the service of the royal navy. Such trees, growing outside the townships granted before the 21st of September, 1722, were branded with the "broad arrow," and no man might dare cut them down, even on his own land, under heavy penalty. Large ships brought to our shores goods we were forbidden to provide for ourselves, and carried away cargoes of our best pines. What wonder then, that, as the exactions of England grew more and more rigorous, a "mast ship" became a hated object!

Such a ship, with a valuable cargo, was wrecked on Hampton beach on the night of November 30, 1764, not, it is believed, on account of rough weather, but owing to the pilot's ignorance of the coast. The ship drove on to the sands a little to the south of the present line of fish-houses on the north beach, whence the crew, without much difficulty, got ashore. The pilot, Capt. William Branscomb, afterward settled in this town, and became the third husband of Prudence Page (nicknamed "Old Prue").

The disaster of November 30, was announced in the next issue of the *New Hampshire Gazette* as follows :

“Portsm^o, Dec. 7, 1764.—Last Friday Night, the Mast Ship, St. George, Capt. Maillard, bound from Boston for this Port, was cast away off Hampton. She had Goods on board to the value of about Ten Thousand Pounds Sterling belonging to sundry Merchants here ; great part of which are much damaged. The Men’s Lives were saved, but the Hull of the vessel will be entirely lost.”

The master of the vessel hastened to Portsmouth, to report to the Court of Admiralty. Meanwhile, so exciting an event as a shipwreck on their shore attracted large numbers of people to the spot. Some of these, either through ignorance or avarice, appropriated and carried away goods found strewn upon the beach. As soon as possible, therefore, keepers were appointed, viz. : Col. Christopher Toppan and Col. (afterwards Gen.) Jonathan Moulton.

On the 20th of December, the Court of Admiralty issued the following :

“Province of New Hampshire.

Pursuant to a Decree of said Court, the Goods saved out of the wreck of the St. George Mast Ship will be exposed to sale by Auction on Thursday, the 27th Instant at the stores of Samuel Muffatt and John Sherburne, Merchants in Portsmouth ; And the Hull of said Ship, stores, Rigging, Anchors, and other Goods (which cannot now be transported), at Hampton, at the store of Jonathan Moulton Esq.—on Tuesday following.—The Goods at the respective Places to be seen the day before the Sale, where Attendance will be given for that Purpose.

Per curiam, John Sherburne, D. Rec.”

The above decree, while it shows that all that could be saved from the wreck was secured within a month from the time of the disaster, gives no hint of the difficulties encountered. Many looked with envy and malice upon Colonels Moulton and Toppan, claiming that they had no more right than others to carry off the goods, and that they were enriching themselves on false pretences. A riot ensued, as is shown by the following order issued by the governor a month later :

“Province of } By his excellency Benning Wentworth, Esq., Capt.
New Hamp. } General, governor & commander-in-chief in and over
the Province aforesaid :—

To the Hon^{ble} Meshech Weare, Esq., Coll of the Third Regiment of Militia in sd Province or to the Lieut. Col^o or Major thereof :—

Whereas it has been represented unto me by his majesty’s Attorney general & by the High Sheriff that some ill disposed persons having

purloined sundry goods from the Lading of a ship lately stranded on Hampton Beach in this Province while the ship & cargo was under the direction of & in the custody of the admiralty court; & warrants being issued for the apprehending sundry persons supposed to be guilty of the said Breach of the Law, who being apprehended for the same & in custody of the officer, when as is further suggested, the prisoners were by a number of evil-minded persons in a violent, riotous & tumultuous manner & being disguised, did assault the officer & him beat, wound & evilly entreat & did release the sd prisoners & let them go at large whereby they made their escape & that since the above^d action (which was on the 28th day of this inst) a great number of the inhabitants of the sd town of Hampton have in a riotous, roysterous & tumultuous manner assembled, & being armed with clubs & staves, have menaced & threatened the officer & bid defiance to all lawful authority, & tho his Majesty's Proclamation agreeably to the law of the Province has been read to them, they still repeat their unlawful assembly to the great Terror of his majesty's good subjects, & the Sheriff of the Province having supplicated the aid & assistance of a suitable number of the militia with proper officers might be ordered to attend him in the execution of such precepts as he might receive from the civil authority to disperse & apprehend the offenders & bring the authors and abettors to justice, being apprehensive he shall meet too great opposition in the execution of his office without the assistance & aid of the *Posse*, which being lawful and at this time necessary:

You are therefore respectively impowered & directed upon the application of the High Sheriff or his deputy, to detail as many men under arms out of your Regiment under the direction & command of an officer, as may be necessary to assist the s^d Sheriff & his deputy in the execution of any lawful precept that may be directed to him to separate the said rioters & to apprehend the authors and abettors of the aforesaid violent & illegal practices, that they may be dealt with as to law & justice doth appertain, & for which is your authority.

Given at Portsmouth in the Province afore^d this 29th day of January in the 5th year of his Majesty's reign annoque Domini, 1765.

B. Wentworth."

Though the meaning of the above order is clear, a grammatical analysis would be difficult.

While Colonel Toppan was at the beach, engaged in unloading the *mast ship*, one of his vessels, a brig from the West Indies, appeared off the coast, passing along inside of the Isles of Shoals and so near the main land as to be easily recognized as his own vessel. The next

day, he went to Portsmouth expecting to find her in port, but was disappointed. He afterward learned that the brig had been spoken some days before, and that the crew were badly frozen. In the evening after she was seen off our coast, the wind veered to the northwest and blew with great violence. It was supposed that the crew, in their suffering condition, were unable to manage the vessel, and that she was blown off and lost, with all on board. The supercargo was Benjamin Hobbs of North Hampton, a graduate of Harvard College.

Near the close of the summer of 1768, a large schooner owned by Christopher Toppan, Esq., sailed from Hampton, bound on a fishing voyage to the Grand Bank, having eight men on board. The vessel was lost, and her captain with all his crew perished. Benjamin Randall, the captain, belonged at Rye; the crew at Hampton.

THE GRAY RAT.

Dr. Belknap says: "The town of Hampton, though adjoining the sea, and one of the earliest settlements in New Hampshire, had no gray rats till the year 1764, when an English mast-ship was wrecked on the beach." This is not entirely correct. The gray rat was introduced here from a vessel wrecked on our beach near Great Boar's Head sometime before the mast-ship came ashore.

CONSTABLES.

Any person chosen for constable was by law required to accept the office and perform the duties (unless he were excused by the town), or be subjected to a fine of £20, old tenor. Such were the duties to be performed by constables,—or perhaps so meager their pay—that there was a general reluctance among the people to holding the office. On one occasion, after it had been voted to have two constables for the ensuing year, five men were chosen in succession, and each of them refused to serve, and paid his fine. At an adjourned meeting two weeks afterward, it was voted to choose one constable for the whole town and to give him the £100 fine money received from those men who had refused to serve. Jeremiah Dow was then chosen constable, and he procured his brother Simon Dow as his substitute, and the town accepted him for the office.

Several years later, the town tried the experiment of setting up this office by vendue to the lowest bidder. In this way it became known who would accept the office, and on what terms. The town then went through the formality of electing a constable by vote. This was the customary course for many years, though in the opinion of some of the voters, its legality was questionable.

COLONEL MOULTON'S BUILDINGS BURNED.

On the 15th of March, 1769, town-meeting day, occurred the most destructive fire with which the town had ever been visited. The following account of it is taken from the *Boston Chronicle* of March 20, where it appeared as a communication from Portsmouth, under date of March 17.

"Last Wednesday morning, about 4 o'clock, the large mansion of Col. Jonathan Moulton of Hampton, together with two stores contiguous, was wholly consumed by fire. This melancholy accident, it is supposed, was occasioned by a beam taking fire under the hearth in his parlor. The flames had got to so great a height before the discovery, that it was with great difficulty the family escaped with their lives. Col. Moulton saved no other clothing than a cloak, & a gentleman who happened occasionally to lodge at the Colonel's was obliged to jump out of the chamber window. When he was first called upon he did not know the occasion and had put on most of his clothes before the smoke apprised him of his danger. There were between 15 & 20 souls in his house, who through the good providence of God, were all saved unhurt. All the furniture, which was very good and valuable, was wholly consumed, but the shop-goods, books, bonds, notes and other papers, which were in the stores, were happily saved. The loss is estimated at £3000 sterling."

Colonel Moulton subsequently built the large mansion house now owned by Mrs. Elizabeth F. Mace, locating it about forty rods farther south than the one destroyed. The old road leading to "Drake side," left the "main country road" near the former house. After the erection of the new house Colonel Moulton opened from it a new road through his own land to meet the Drake side road—probably a little beyond where the Eastern Railroad now crosses the highway. Some of the inhabitants, wishing to have this new way made a public road, caused an article to be put into the warrant for a town meeting, April 8, 1771, to see whether the town would exchange with Colonel Moulton, the old road for the new. At that meeting the selectmen were authorized to "lay out said new road," and to "shut up and give to said Moulton the old road in lieu of the new one. . . . in case said Moulton shall give his obligation always to give free liberty for the inhabitants of said town to pass and repass with their cattle and sleds through said Moulton's land where the old road leads from the country road to Drake side road, or nigh by it, during the winter season while there is sufficient snow for sledding." The selectmen accordingly laid out the road and made their return to the town clerk on the 19th of the same month.

The Journal of the House of Representatives, under date, April 8, 1771, contains the entry : Col^o Jon^a Moulton of Hampton, allowed for money burnt with his house, £5."

On Sunday, August 22, 1778, there was a very heavy shower of rain, accompanied with much thunder and lightning. The lightning struck eight trees within a short distance of Capt. Henry Elkins' house. [Philip Towle's MS.]

LAWSUIT WITH NORTH HAMPTON, ABOUT TAXES.

We have already noticed the special provision made for the taxation of real estate in the towns of Hampton and North Hampton at the incorporation of the latter town in 1742.¹ A considerable part of the woodland owned by the people of Hampton lay in the town of North Hampton, while residents in the latter town owned large tracts of salt marsh in Hampton; so that neither town, by this arrangement gained or lost much in the amount of taxes received; and each was saved the necessity of collecting a large amount of non-resident taxes. But from time to time changes occurred in the ownership of property. Lands that had been owned and taxed in one of the towns, having been sold to persons living in the other, of course became taxable in the latter. In consequence of changes thus occurring, in the course of thirty-five years, or more, some of the people of North Hampton, thinking that this method of taxation was working to their disadvantage, petitioned the General Assembly, in March, 1779, to alter it, and make the real estate of the two towns taxable in all cases in the town where it lay—averring that the paying of taxes out of the parish where the property taxed is situated, is very inconvenient, and tends to create disputes, and may in time by frequent transfers from people of one of the towns to people of the other, render those of the former town wholly incapable of paying their parochial taxes.

The Assembly ordered that a hearing should be had on the second Wednesday of the next session, and that in the meantime notice should be given to the selectmen of Hampton. On receiving notice, the selectmen called a town meeting, May 17, at which a committee was chosen to show cause why the prayer of the petitioners should not be granted. The committee were Capt. Josiah Moulton, Joseph Dow, Esq., and Ens. Philip Towle, who were authorized to employ counsel.

The petitioners failed to procure the change sought, and for about eighty years longer the taxes in the two towns continued to be assessed and collected in the same way as before. During that time there

¹ p. 200.

were many changes in the ownership and the comparative values of salt marshes and woodland, but the changes were not all in the same direction. In 1859, the case was again brought into court by the selectmen of North Hampton, and the next year decided in their favor, so that all real estate has since been taxed in the town where it lies.

THE DARK DAY.

The 19th day of May, 1780, was unprecedented in New England for its great darkness. The sun was visible a little while in the morning, but was soon obscured by clouds. For some days previous the air had been filled with smoke, arising, it was supposed, from extensive fires, somewhere raging in the woods. Prevailing westerly winds had spread the smoke over a very great extent of country. On the morning of the 19th, the wind, though variable, was principally from the eastward, and brought with it a dense fog from the ocean. This meeting and mingling with the clouds and smoke formed a mass almost impervious to light. The darkness became noticeable a little before eleven o'clock, and rapidly increased. Domestic fowls went to roost, and cattle collected around the barn yards, as at the approach of night. About noon it became necessary to light candles, and these were needed through the remainder of the day, though the darkness was greatest from twelve to one o'clock. The darkness of the evening was scarcely less remarkable than that of the day. Dr. Belknap says: "It presented a complete specimen of as total darkness as can be conceived. About midnight a light breeze sprang up from the north or northeast, which dispersed the clouds and vapors, and it soon began to grow light.

The darkness extended over several thousand square miles, though differing much in intensity in different places. Nowhere, perhaps, was it greater than in this vicinity. The day was appropriately called, and is still known, as **THE DARK DAY**.

AN ACT FOR OPENING LITTLE RIVER.

On the 27th of June, 1780, an act was passed by the Legislature, for improving the salt marsh drained by Little river:

"Samuel Jenness, Jeremiah Dearborn, Benj^s Philbrick, and John Lamprey Jun. in a petition, set forth that there is a certain piece of Salt Marsh and Meadow land lying in Hampton & North Hampton, containing about one hundred & twenty acres, that for some years past has been made Salt marsh by a river running through the sea-wall beach, so called, but for three years past the said river hath been stopt by means of gravel & stones washing into the same; and there-

by the said marsh & meadow land was damnified—Wherefore they prayed that they might be impowered to clear out said river & let the water off said marsh & meadow land at the proper cost of the owners thereof, and to assess the said owners for that purpose, which appearing to be reasonable,

Be it therefore enacted"—etc. that the above-named men, or a major part of them "be, and hereby are appointed a committee to clear out said river"—etc. according to the petition, assessing the cost on the owners, "and to appoint a collector and cause the same to be collected as town charges are usually collected.

This act to continue and be in force for the space of Ten years & no longer."

The same difficulty is still experienced, in keeping Little river open at the point indicated, now called "The Breach;" and still the marsh becomes "damnified" unless it is occasionally cleared out.

CHAPTER XIII.

INDIAN WARS. 1675-1763.

KING PHILIP'S WAR. 1675-6.

WHEN the settlement was made at Winnacunnet, the war with the Pequots having recently closed, all New England was enjoying a respite from open hostility with the natives. There was some friendly intercourse between the races, and this continued many years. Still there was a feeling of insecurity on the part of the settlers, arising from their want of confidence in the sincerity of the Indians in their professions of friendship. Sufficient evidence of this is found in the legislation of the times. A careful perusal of the documents in the archives of Massachusetts will give an insight into the condition of the country, which we fail to get from any history of that period. Provision was early made for organizing military companies and for the frequent drilling of soldiers. Even boys from ten to sixteen years of age were to be exercised with small guns, half-pikes, bows and arrows. Powder was distributed in all the towns, and every man was obliged by law to have one pound in his house at all times. Watches and wards were constantly required; houses provided in all the towns, as places of retreat for the women and children, and for the safe-keeping of ammunition. In 1644 it was ordered that all inhabitants, seamen as well as others, should "have armes in their houses always ready fixed for service." Provision was made for calling out companies in case of an alarm, and every trained soldier was required to turn out immediately under penalty of £5 for neglect. Military officers were empowered to "appoint what armes to be brought to the meeting houses on the Lord's days & other times of meeting."

The foregoing are only a few of the many regulations made for the security of the people; but they are enough to give us some conception of the dangers to which they felt themselves exposed. Still, there was comparative safety throughout New England till 1675. In that year was commenced the disastrous Indian war which, at the time, being thought to be occasioned by the jealousies and intrigues of Philip of Pokanoket, has usually been called King Philip's War. The first

attack made by the Indians was on the town of Swanzev, in the Colony of Plymouth, in June of that year. Not long after, there was an uprising of some of the Eastern Indians in the Province of Maine.

Their first acts of hostility were in places more remote, but in the month of September they came into New Hampshire and attacked the settlement at Oyster River (Durham), where they burned two houses, killed two men and took captive two others, who, however, soon after escaped.

The next month as Goodman Robinson, of Exeter, and his son were coming from that town to Hampton, they were waylaid by three Indians, who shot the old man and left him dead on the spot. His son, who was a little distance from him, hearing the report of the guns, ran into a neighboring swamp, and, although at first pursued by the Indians, succeeded in reaching Hampton, where he arrived about midnight. The next day, Lieut. Benjamin Swett, with about a dozen soldiers of the town, went and searched the woods and found the body of the murdered man. He had been shot in his back, the bullet having passed nearly through his body.

Before the close of the year small parties of Indians committed depredations in several places near the Piscataqua. The inhabitants of Hampton suffered less than those in the river towns, though they lived in constant dread, and sometimes the enemy was known to be lurking among them. One instance (a matter of record) may be given :

There appears to have been a plot to burn the house of Thomas Sleeper—a frontier-house in the easterly part of the town. About nine o'clock in the evening of the first Saturday of November, 1675, an Indian was discovered passing from the barn, about eight rods distant, towards the house, with fire in his right hand—"in appearance about the bigness of an egg"—and straw under his left arm. When about midway between the two buildings, he was fired upon from the house and immediately fell. The straw took fire and blazed up, and by the light of it another Indian was seen running away between the fire and the barn. Thus their design was frustrated. The fire soon went out, having done no injury. The people of the house, fearing that others might be lying in ambush, dared not go out in the night to the place where the Indian fell. In the morning, no dead Indian was to be found, but pieces of birch-bark lay scattered around where the fire had been kindled.

In the early part of the following week scouts were out in Hampton, Exeter, Salisbury and Haverhill, searching the woods to track the Indians on the snow which had already fallen, but they appear to have returned without success.

Just before the year closed, it was ordered that the majors of the several regiments in this part of Massachusetts should raise three hundred men to reduce the enemy by attacking them at their headquarters at Ossipee and Pequacket. Of this number, Hampton was required to furnish twenty-eight men. But the winter was very severe. We have already stated that snow had fallen early in November. By the tenth of December it was four feet deep in the woods. The soldiers not being provided with snow-shoes, it was impossible to carry out the plan proposed. But the depth of the snow and the severity of the winter were equally unfavorable to the Indians. They were also suffering from famine, and having from this cause and by the war lost a large number of their men, they were glad to make peace, which was obtained through the mediation of Major Waldron, of Dover, to whom they had applied for this purpose. The captives they had taken were restored, thus bringing joy to many families, though the peace was of short duration.

Hostilities were renewed the next summer, partly, perhaps, through fault of the Indians; but partly also through that of the English, or some of them, whose dealings with the red-men had not been such as were likely to secure a permanent peace. The occurrences of this year, though not unimportant, will be passed over, as not coming within the scope of this work.

On the 16th of April, 1677, the house of John Kenniston was burned, and himself killed within the limits of the present town of Greenland, which borders on North Hampton, then a part of Hampton.

About two months later the enemy appeared in Hampton and killed four men in that part of the town called North Hill (now North Hampton). These were: Edward Colcord, Jr., Abraham Perkins, Jr., Benjamin Hilliard and Caleb Towle. Perkins had a wife and three daughters. The others were unmarried. Colcord's age was 25; Perkins', 37; Hilliard's, 24; Towle's, 16.

The eastern settlements in the Province of Maine, being very much exposed, and needing assistance, the government of Massachusetts determined to send a force of two hundred friendly Indians and forty English soldiers against the enemy in those parts. Lieut. Benjamin Swett, of Hampton, who received a captain's commission, June 21, was made "the conductor and chief commander of the English and Indian forces now raised to go forth on the service of the country against the Eastern Indian Enemy, as also to order and dispose of the masters and mariners and vessels now going on said service, for the better management of that affair."

Dr. Belknap and some other writers state that Captain Swett was

sent to Taconic falls on the Kennebec, one of the strongholds of the enemy, but nothing to corroborate this is found in the instructions of the government, dated on the next day after he received his commission. The instructions are as follows :

Capt. Swett,

You are ordered with the forces now rayssed & by your comission put under your command, to repayr to Black-poynt, & there use all possible dilligence, by scouting & otherwise, to understand the state & Motion of the enemy, & with your force to assayle & annoy them as much as in you lyeth. If any other small quarter of the enemy lye near & your force be in any manner capable in a short time to visit & fall upon them, you are accordingly ordered with all y^r force, Indians & English, to make your March thither & assault them. If otherwise no service against the enemy offer, advising with Maj. Clark to whom the Council doth refer you for advice, you shall with your whole force March down toward Pascataway or the backside of Winter-Harbour if possible to discover the lurking places of the enemy & fall upon them : after which you shall supply out of your company the places of y^e old garrison-soldiers which went out under Capt. Swayn or other, dismissing them home, & lodge y^e remaynder in most conuenient & necessary places for the Countrys seruice, & in such companyes that upon . . . exigence or order you may call y^m again for further execution or expedition, keeping your correspondence with giving account to y^e gouern^r & Councill, of all occurrences.

Dated at Charlestown y^e 22^d of June, 1677.

“The forces were embarked in vessels which came to anchor off Black Point in Scarborough, on the 28th of June, where Captain Swett being informed that some Indians had been seen, went on shore with a party, confident in his strength, and began to test the valor and courage of his company before he had disciplined them, or had any experience of their ability to fight.” This was undoubtedly an error ; but the government had committed a greater error in sending a force so inadequate to the work to be done. Not only was the number of men sent far too small, but many, even of that small number, were young, raw and inexperienced soldiers, not able to look danger, much less death, calmly in the face.

“The forces landed at Black Point, were joined by some of the inhabitants, so as to make ninety in all, besides the 200 friendly Indians. The next morning the enemy showed themselves on a plain, in three parties. A large decoy, supposed to be the main body of the Indians,

feigned a retreat, and were pursued a distance of about two miles from the fort, when the English soldiers found themselves in a most exposed situation, between a thicket and a swamp, upon the declivity of a hill; and instantly, from an ambush on each side, great numbers of Indians, rising with a war-whoop, fired at once upon the two divisions, and turning so violently and so suddenly upon them, threw the young and undisciplined soldiers into confusion. Capt. Swett with a few of the more resolute, fought bravely on the retreat, till he came near the fort, when he was killed. Sixty more, among them Lieut. Richardson, were left dead or wounded, and the rest got into the fort."

Such is the account of this fatal engagement, derived from a manuscript letter of Rev. Nathaniel Gookin, of Hampton, and drawn up by one of his descendants, the late John Wingate Thornton, of Boston.

Williamson, in his *History of Maine*, gives the following account, which is substantially that of Hubbard:

"Though the ranks were broken, the engagement was sharp and protracted. Richardson was presently slain, and many on both sides soon shared the same fate. Swett fought the enemy hand to hand; displaying upon the spot and in a retreat of two miles, great presence of mind, as well as personal courage, in repeated rallies of his men, in his exertions to bring off the dead and wounded, and in defense of his rear, upon which the savages hung with destructive fury. At last, wounded in twenty places, and exhausted by loss of blood and by fatigue, he was grappled, thrown to the ground, and barbarously cut in pieces at the gates of the garrison. With this intrepid officer, fell sixty of his men—forty English and twenty Indians. Seldom is the merit of a military officer more genuine; seldom is the death of one more deeply lamented."

Nowhere was the death of Captain Swett more deeply lamented than in Hampton, by the people among whom he had many years lived, and by whom he was well known and highly esteemed. The loss of him was more severely felt in consequence of the imminent danger which they then conceived the town to be in, of an attack by the enemy. This is abundantly evident from a petition of the militia and inhabitants of the town, to Major General Denison, stating that they had eighteen impressed men in daily service, besides the ordinary ward; and urging that, owing to threats of the Indians upon "our Towne in particular," about thirty able and stout men might be impressed and sent to their aid. This petition was signed by Rev. Seaborn Cotton, Samuel Dalton and the military officers, Capt. Christopher Hussey, Ensign John Sanborn and Deputy Thomas Marston.

So urgent appeared the necessity for immediate relief, that another

petition was the same day prepared and sent to General Denison, begging him to send them, if it were possible, about thirty men from Newbury, or some place near, with a suitable commander, so that, if practicable, they might be at Hampton as soon as the next Thursday morning, as an attack had been threatened for that day.

Whether any relief was afforded in answer to these petitions, does not appear; but the anticipated attack was not made; and soon afterwards the Indians ceased their depredations, and in the following spring concluded a peace at Casco, and restored their captives.

A considerable number of Hampton men performed military service in this war. How many were with Captain Swett in his unfortunate expedition, is not known. In March, 1676, some forces were sent for the defense of Marlborough, Mass., and among them were at least eight men from this town, viz. :

Mr. John Stanyan,
Thomas Cram,
Caleb Perkins,
John Huggins,

Jacob Garland,
Abraham Chase,
John Philbrick,
John Palmer.

The following persons are known to have been in the service of the country sometime during the two years, 1675 and 1676.

Israel Blake,
John Brown,
Thomas Brown,
Joseph Cass,
John Chapman,
Samuel Chapman,
Israel Clifford,
Edward Colcord,
Henry Dow,
Abraham Drake,
Joseph Griffin,
James Hobbs,
Morris Hobbs,
Thomas Hobbs,
Francis Jenness,

Samuel Johnson,
Israel Leavitt,
John Leavitt,
Ephraim Marston,
John Marston,
Benjamin Moulton,
John Palmer,
——Palmer,
Ebenezer Perkins,
Thomas Robie,
William Samborne,
John Sleeper,
Joseph Smith,
Benjamin Swett,
Michael Towsley.

KING WILLIAM'S WAR. 1689-1698.

The Eastern Indians generally appear to have observed the treaty made at Casco, in 1678, conducting themselves for several years peaceably towards the English settlers, who, in the meantime, had been gradually recovering from their losses in the late disastrous war; but, partly through fault of the English themselves, the peace was at length broken and ravages committed, beginning with several places in the province of Maine.

The first sufferers in New Hampshire were in Dover, on the 28th of June, 1689, when the aged Major Waldron and more than a score of others were killed, and nearly thirty were taken captive. About a month later the savages fell upon the settlement at Oyster River also, and killed or carried off nearly twenty persons.

On the 8th of July the town of Hampton voted "that all those who were willing to make a fortification about the Meeting House, to secure themselves and their families from the violence of the heathen, should have free liberty to do it." A fortification was accordingly built, which, about three years afterward, the town voted to enlarge so as to afford room "to build houses in it according to custom in other forts." How many houses were built is not known, but it was voted that a small house (14 by 16 feet) should be built there for the use of the minister, and when not occupied by him to serve as a schoolhouse.

From information derived from one who had been in captivity among the enemy, fears were entertained that an attempt would be made in the latter part of September to destroy the towns of Hampton, Exeter, Salisbury and Amesbury, and it was said that four hundred Indians were to be sent for this purpose. In confirmation of the report in circulation, Indians ("skulking rogues," as they were termed) were seen in these towns almost every day, sent, it was thought, to reconnoiter. Whether they found that their design had been discovered, and that the people were too much on their guard to be easily overcome, or whether the rumor of their intended attack was unfounded, is uncertain; but the month of September wore away, and the four towns still remained.

In March, 1690, the military officers in commission before Cranfield's administration, were restored to office. Those for Hampton were: Samuel Sherburne, Captain; Edward Gove, Lieutenant; John Moulton, Ensign.

During the month of July more than thirty persons were killed by the savages, in Exeter.

Thus far no attack had been made upon any part of Hampton, but the people were living in constant dread. So secret and so sudden had been the movements of the enemy, that none knew where to expect their next assault. The men dared not go abroad to their ordinary labors without being armed. Their families were collected in the forts and in garrisoned houses, which were carefully guarded. On the Sabbath, indeed, they ventured to attend public worship, but, as we have seen, the meeting house was surrounded with a fortification, the men went armed, and sentinels were stationed to give an alarm, if the enemy should appear during the services.

At a town meeting held the next winter, Mr. Henry Green, Capt. Samuel Sherburne and Henry Dow were chosen a committee to agree with and send out two men, as scouts, to see what they could discover, so long as they could go upon the snow, or so long as the neighboring towns sent out; and so much of their wages as should not be paid by contribution, was to be paid out of the next town rate. The committee was also directed to keep an exact account of what the town or any of the inhabitants should expend in carrying on the war.

This vote suggests what was then considered the most effectual method of preventing the Indians from committing depredations, viz.: the employment of scouts to be constantly scouring the woods, to discover them, if possible, in their lurking places. Still, besides scouts, a large number of soldiers were employed on different occasions, and sometimes for several months in succession, under officers of skill and experience.

But, notwithstanding the vigilance of the scouts, the Indians sometimes succeeded in finding hiding places, even in the immediate vicinity of a garrison, where they lay concealed, watching the movements of those belonging to the garrison, ready to seize the first opportunity to kill or capture anyone who might happen to venture a little too far away. An instance of this kind occurred in Salisbury, adjoining Hampton, on the 23d of June, 1691. About half an hour after sunset, one John Ring went out of Jacob Morrill's garrison, to drive in a cow, and was captured within a little more than twenty rods of the garrison. The next day a great many men of Salisbury and Hampton went into the woods to search for him, but, as some one wrote at the time, "with very little hope of recovering him." Justly did the same writer add: "The truth is, we are a distressed people."

At the very time of this occurrence, a company of men, about thirty-four in number, under Capt. Stephen Greenleaf, of Newbury, was out in that vicinity searching for Indians. Ring was captured on Monday; Captain Greenleaf's company went to Haverhill on the Saturday previous, came to Hampton on Sunday, and went to Exeter on Monday, in the morning.

A little past midsummer a small army was sent out under the command of four captains, one of whom was Samuel Sherburne, of Hampton. The forces landed at Maquoit, near Casco, and marched up to Pechypscot (now Brunswick, Me.), but finding no signs of the enemy, returned to Maquoit, where they had left their vessels. While the commanders were on the shore, waiting for the soldiers to get aboard, a great number of Indians suddenly poured in upon them, and they were obliged to retreat to their vessels; but this was a diffi-

cult matter, as, the tide being down, the vessels were aground; and before it could be accomplished Captain Sherburne was slain. He had been a resident of Hampton ten or twelve years, and was well known as the keeper of the ordinary, or tavern. He was a captain in the militia; three years a selectman of the town; was once chosen to represent the town in the General Court; and in January next preceding his death, as has been stated, he was on the committee to employ and send out scouts, and to keep an account of the expenses incurred in the war. The vacancy made by his death was afterwards filled by the choice of Lieut. John Smith, the cooper.

On the last Tuesday of September, 1691, a party of Indians, variously estimated from twenty to forty, came from the eastward in canoes and landed at Sandy Beach (now Rye) a little after noon. The garrison there they left unmolested, and fell upon a few defenceless families living about half a mile from the garrison; killed some of the members and took captive some others, and burned one or two houses. The severest blow fell upon "ould goodman Brackett's and goodman Rand's families."

Two messengers brought the sad intelligence to Hampton the same afternoon. On their return in the evening, about the time of the moon's rising, on reaching Ragged Neck, about half a mile south of Sandy Beach garrison, they saw, "as they adjudged, about forty Indians coming towards Hampton, with five or six canoes on their heads."

Having made this discovery the messengers quickly retraced their steps and gave the alarm at Hampton. Henry Dow, one of the town committee, immediately wrote and dispatched a letter to Salisbury, conveying the intelligence to Maj. Robert Pike, who commanded the militia of the county of Norfolk. Major Pike, having added a hasty note, forwarded the letter to Mr. Saltonstall, one of the magistrates, who was then at Ipswich "on court service," and by him it was sent to the governor.

The next morning, September 30, a company of men from Hampton hastened to the scene of carnage, where they met Capt. John Pickering with a company from Portsmouth. The enemy had gone. They were probably preparing to embark at the time they were discovered at Ragged Neck, the evening before. Their tracks were distinctly traced in the sand, as were also "the tracks of two women and one child," whom, with others, as is supposed, they carried into captivity. The companies found the dead bodies of ten persons, and thought from what they found in the ashes, that three had been burned with the house. Seven others were missing. The whole loss was twenty

persons, two of whom were very aged men ; the others, women and children. "We are in a sad condition," wrote one of our citizens ; "the enemy so violent ; the Lord give us all wisdom to teach us what we ought to do."

Soon after this occurrence it was proposed that delegates from the four New Hampshire towns should meet in Portsmouth, to consider what measures should be taken for defense against the common enemy.

The proposition having been brought before this people in town meeting assembled, October 26, it was agreed to, and Nathaniel Weare, Henry Dow and Joseph Smith were chosen to represent the town in the proposed meeting. The town engaged to furnish their due proportion of men and money for the defense of the Province by such methods as should be agreed upon at the meeting, provided the plan adopted should be consented to, and subscribed by at least two of their committee, or delegates.

No documents have been found to show what was done or agreed upon by the convention in Portsmouth. Even the time of holding the convention has not been ascertained. But some transactions of our town, about to be related, may have been in accordance with a plan adopted, or with suggestions made at the convention. The record of these transactions is on a detached paper, and the year is torn off ; but there are some considerations which render it probable that it was in 1691. If so, it was five days after the town meeting, when delegates to the convention were chosen, as the record itself shows that this was on the 31st day of October. Assuming this to be the true date, we shall now proceed to give an account of those transactions.

They chose a Committee of Militia and clothed them with extraordinary powers. They were to have the charge of all the military affairs of the town ; to order all watches and wards and garrisons ; and were authorized to appoint, if they should see fit, some one garrison in the town to be regarded as the *principal* garrison. In fine, whatever a majority of the committee might agree to, the inhabitants obligated themselves to "yield all ready obedience thereto according to their order." They also authorized the committee to impose such fines for neglect of duty as they might think proper, with this restriction : That no fine should exceed three shillings for the neglect of a day's warding ; nor two shillings, of a night's watching, to be paid in, or as, money.

The committee was to consist of five men, and to be constituted in this manner : Two members were to be from the south side of Tay-

lor's river, and three from the north side; three of the men were to rank as **FIRST, SECOND and THIRD**; and were to have command of the soldiers in opposing the common enemy in any emergency or case of assault. Henry Dow, John Smith (the cooper), Ensign Jonathan Moulton, Serg^t Benjamin Fifield and Joseph Swett were chosen as the committee; the first three to command the soldiers in the order in which they are named.

The committee was given full power to call out the soldiers whenever they might think it necessary, and to see that they were properly armed and equipped and supplied with ammunition. Any soldier who should fail to be thus armed, equipped and supplied was to be fined five shillings a month so long as the deficiency should continue.

The town was induced to give such powers to the committee on account of the exigency of the situation. At the seizure and imprisonment of Governor Andros, the province had been left without any regularly constituted government, and the people were virtually thrown upon their own resources, and no instructions as to their future government had since been received from England.¹ Exposed as they now were, to the tomahawk and the scalping knife, their only safety seemed to be in confiding in the ability and integrity of a few men whose word should be their law; and happy was it for them that there were in the town men, on whom they could unite in bestowing such a mark of confidence.

Nearly two years later a treaty of peace, or rather a truce, was formed, articles of "submission and agreement" being signed by a considerable number of chiefs and other Indians at Pemaquid, August 11, 1693. From that time the people had a respite from hostilities for nearly a year. But the next blow inflicted in New Hampshire was one of great severity. On a summer morning, about daybreak, a large number of Indians fell suddenly and unexpectedly upon the settlement at Oyster river; took three garrisons, burned thirteen houses, and killed or carried into captivity ninety-four persons. Other outrages followed.

Less than two years after the treaty, a body of Indians made an attack at Portsmouth Plains, about two miles from the town. They had come from York to Sandy Beach in canoes, which they secreted among the bushes near the shore. Early in the morning of June 26, 1696, they simultaneously made an onset upon five houses. Fourteen persons were killed, one other was scalped and left for dead, but

¹ Chapter VI.

recovered, and four were taken prisoners. The Indians, having plundered the houses, set them on fire, retreated through the "Great Swamp" about four or five miles, and then stopped to prepare a breakfast on the declivity of a hill, near the line, as it then was, between Portsmouth and Hampton. In this situation, they were found by a company of militia sent from Portsmouth, and the four prisoners were rescued, but the Indians escaped into a neighboring swamp and succeeded in reaching their canoes, in which they put to sea and saved themselves from merited punishment. The hill where the prisoners were rescued from the enemy, receiving its name from the circumstances related, has ever since been called BREAKFAST HILL.

Just two months later Indians surprised and killed Lieut. John Locke, while at work in his field.¹ His residence was at Jocelyn's Neck, which sometime after his death took the name of Locke's Neck; then a part of Hampton, but thirty-four years afterwards annexed to Rye.

Hostilities were continued a year or two longer. Depredations were made and persons killed, wounded, or taken captive, in Dover and in several places in Massachusetts and Maine; but as the enemy did not again appear in this immediate neighborhood, it is not necessary that any further details should be given.

The war in Europe was terminated by the treaty of Ryswick, in 1697, and after it was known here, the French no longer gave aid to the Indians, and the governor of Canada advised them to make peace with the English. To this they at length agreed, and another treaty was made at Casco near the beginning of the year 1699. A few of the captives were restored immediately, and assurance was given that the others should be returned in the spring. Some, however, had died in captivity, and some of those who were still alive—especially such as had been taken in childhood,—having adopted the manners and customs of the Indians, intermarried, and spent their lives with them.

During this war, and in succeeding years till his death, in 1724, Bomaseen, a sachem of the Kennebecks, bore a prominent part. Mr. Drake, in his *History of the Indians*, says of him: "Whether Bomaseen were the leader in the attacks upon Oyster River, in New Hampshire, Groton, in Massachusetts, and many other places, about the year 1694, we cannot determine; but Hutchinson says he was 'a principal actor in the carnage upon the English,' after the treaty which he had made with Governor Phips in 1698. . . . He is mentioned as a 'notorious fellow,' and yet but few of his acts are

¹ See p. 71.

upon record." Traditions have been handed down, of Bomaseen's frequent appearance in Hampton, both in peace and in war.

It is said that one dark night, during hostilities, an Indian was discovered gazing in at a window of Thomas Lane's house (near the house of the late Moses A. Dow). Lane seized his gun and sprang toward the door, but stumbled over a kettle on the hearth and fell, thus giving the savage time to slink into the darkness and escape. Afterward, Bomaseen, for it was he, openly boasted that, if Goodman Lane had shown himself outside the door, he was ready to shoot him.

We hear of Bomaseen on the war path in this vicinity in 1706, and at other times. His name and mark are affixed to a treaty with the Indians, concluded at Portsmouth, July 13, 1713. He was killed in war at Taconnet Falls (near Winslow, Me.), while attempting to make his escape by swimming.

In closing the narrative of some of the events of King William's war, it is gratifying to be able to present so full a list of Hampton men, who were employed as soldiers, scouts or messengers. Many of them served on several occasions, particularly in the years 1694-5-6. This list is gathered from various reliable sources, but it cannot be claimed that no names are omitted. Probably some who suffered the hardships and braved the dangers of the war, and perhaps some who were slain are lost from record. The account of the committee of expenditure, mentioned on a previous page, were it not mutilated, would, perhaps, furnish a list nearly complete, but evidently more than forty names have been torn from the paper, while a partial statement of the sums paid for their services remains. This account shows the sum of £211 19s. 8d. expended in paying men at a low rate, for their services as scouts and soldiers in different places and under different commanders, and for their rations, and for going post to Portsmouth, Exeter, Salisbury and other places. Many of the soldiers here named did garrison duty at Oyster River, Exeter and Hampton, and some at Fort William and Mary. "Daniel Tilton's Garrison in Hampton" is specified.

HAMPTON MEN KNOWN TO HAVE SERVED IN KING WILLIAM'S WAR.

Jacob Basford.	Samuel Cass.
Benjamin Batchelder.	John Chase.
Stephen Batchelder.	Jacob Clifford.
John Berry.	Samuel Colcord.
Philemon Blake.	Abraham Cole, jr.
Timothy Blake.	James Crafford.
Jacob Brown.	John Cram.
Thomas Brown.	Jouathan Cram.

- Joseph Cram.
 Thomas Crosby.
 Ebenezer Dearborn.
 Samuel Dearborn.
 Samuel Dearborn, son of Henry.
 Thomas Dearborn.
 Thomas Dearborn, jr.
 Capt. Henry Dow.
 Jabez Dow.
 John Dow.
 Joseph Dow, sr.
 Joseph Dow, his son.
 Joseph Dow, jr.
 Abraham Drake, sr.
 Abraham Drake, jr.
 Robert Drake.
 Jonathan Elkins.
 Moses Elkins.
 Joseph Fanning.
 Edward Fifield.
 Joseph Fifield.
 James Fogg.
 Samuel Fogg.
 Ebenezer Foulsham.
 John French.
 Joseph French.
 Nathaniel French.
 John Garland.
 Peter Garland.
 Isaac Godfrey.
 John Godfrey.
 Lieut. Edward Gove.
 Ebenezer Gove.
 Isaac Green.
 Nathaniel Griffin.
 Paul Healey.
 Samuel Healey.
 Timothy Hilliard.
 John Hobbs.
 Morris Hobbs, jr.
 Nehemiah Hobbs.
 John Hussey.
 Benjamin James.
 Edmund Johnson.
 James Johnson.
 Samuel Johnson.
 David Kincaid.
 John Knowles.
 Simon Knowles.
 Benjamin Lamprey.
 Daniel Lamprey.
 Thomas Lancaster.
 William Lane.
 Aretas Leavitt.
 John Leavitt, jr.
 Moses Leavitt.
 Thomas Leavitt.
 Nathaniel Locke.
 Caleb Marston.
 Ephraim Marston.
 Isaac Marston.
 John Marston.
 Jonathan Marston.
 John Mason.
 Samuel Melcher.
 Benjamin Moulton.
 Daniel Moulton.
 James Moulton.
 Ens. John Moulton.
 John Moulton, his son.
 John Moulton, son of Henry.
 Ens. Jonathan Moulton.
 Joseph Moulton.
 Christopher Noble.
 John Nay.
 Samuel Nudd.
 Thomas Nudd.
 Francis Page.
 Samuel Page.
 Christopher Palmer.
 Samuel Palmer.
 Benjamin Perkins.
 Caleb Perkins.
 Humphrey Perkins.
 James Perkins.
 James Philbrick.
 Sergt. Jonathan Philbrick.
 Thomas Philbrick.
 Christopher Pottle.
 Jonathan Prescott.
 Joshua Purlington.
 John Redman.
 Ichabod Robie.
 Samuel Robie.
 Thomas Robie.
 Charles Rundlett.
 Lieut. John Sanborn.
 Mephibosheth Sanborn.

Richard Sanborn.	Moses Swett.
Stephen Sanborn.	Stephen Swett.
William Sanborn.	Benjamin Taylor.
Benjamin Shaw.	John Taylor.
Caleb Shaw.	Joseph Taylor.
Josiah Shaw.	Benjamin Thomas.
Roger Shaw.	Daniel Tilton.
Samuel Shaw.	Samuel Tilton.
Capt. Samuel Sherburne.	Benjamin Towle.
Christopher Smith.	Caleb Towle.
Israel Smith.	Francis Towle.
Jacob Smith.	Joseph Towle.
Sergt. John Smith.	Phillip Towle, jr.
John Smith, his son.	John Tuck and man.
Samuel Smith.	Thomas Ward.
William Smith.	Peter Weare.
James Souther.	Sergt. Ebenezer Webster.
James Stanyan.	Isaac Webster.
Thomas Stevens.	John Webster.
John Stockbridge.	Thomas Webster. ✓
William Swaine.	David Wedgwood.
John Swett.	Jonathan Wedgwood.
Capt. Joseph Swett.	

QUEEN ANNE'S WAR. 1702-1718.

Important events occurring in Europe brought on a war between France and England, in 1702, known as Queen Anne's war. The same year, Joseph Dudley was appointed governor of Massachusetts and New Hampshire.

The Indians were then tolerably peaceable; but, incited by the French, they soon became insolent. The governor, therefore, convened their chiefs at Casco, June 20, 1703, when they were loud in their protestations of friendship. Nevertheless, within a few weeks, they desolated the whole eastern country, from Casco to Wells.

On the 17th of August, the enemy appeared in New Hampshire. A party of about thirty Indians, under Captain Tom, fell upon a small village, or hamlet, in the south part of Hampton, near the Salisbury line, and killed five persons and "rifled two houses near the garison; but fearing a pursuit, drew off." One of the persons killed was a little son of William Hinkley; the others were Jonathan Green, Nicholas Bond, Thomas Lancaster, and a widow Mussey. The last two were Quakers, among whom Mrs. Mussey was distinguished as a speaker. The story of this tragedy, as handed down by tradition, is thus related:

"A man by the name of Dow, living near a swamp thickly covered with trees and shrubs, observed to his brother that he feared the In-

dians were lurking near by, being satisfied that they had been prowling about his house the night previous. He was advised to go into the bushes and watch. He did so, and soon perceived them making their way from the swamp. He then ran through the street, crying: "Indians!" A Mr. Gove, who lived on the Salisbury road, hearing the cry, jumped upon a stump, and counted thirty-two, as they issued from their place of concealment, crawling upon their hands and knees. They first killed Widow Mussey¹ who was passing by the swamp, dragging her into the bushes, and beating out her brains with a tomahawk. She was greatly lamented by the society of Friends, among whom she had been very prominent. They next killed Thomas Lancaster, who was on his way home from mill. His cries were heard by some men building a garrison near by, who ran to his assistance; but finding the Indians superior in numbers, they fled. A friend who had been with Lancaster, had stopped on his way at the house of Edward Gove, "to drink a syllabub," and thus escaped. They next slew Jonathan Green, beating his head with the butts of their guns, and mangling him in a horrible manner. A woman, having left her child with two young girls, had gone into a field to pull flax. When the Indians came, the girls fled, leaving the child behind, who tried to follow; but while climbing a fence, an Indian seized it, and dashed its head against a plow standing near. They killed and scalped Nicholas Bond in his own house.

"The country was now in terror and confusion. The women and children retired to the garrisons. The men went armed to their work, and posted sentinels in the fields. Troops of horse were quartered at Portsmouth and in the province of Maine." Inroads were made into the settlements in various parts of Massachusetts, New Hampshire and Maine, during the following year, and a considerable number of persons killed.

In 1705, the coast being infested by French privateers, a nightly patrol was established along the seashore from Hampton northward to Rendezvous Point, to prevent a surprisal by sea. "It being deemed necessary to keep a watch day and night at the fort, Gov. Dudley, by a letter dated at Boston, May 29, directed the council to send to Lt. Col. Hilton to impress men for this purpose, out of his regiment. It was also ordered that the firing of three Great Guns, at intervals of one minute, should be an *alarm*, at which one half of 'Hampton Lower Company' and half Portsmouth should immediately march for affording relief."

¹ The narrator of the tradition calls her name *Mussey*; but the town records and Rev. John Pike's Journal give it as in the text.

September 5, 1705. "Ordered that for the future tenn able persons onely be appointed as Scouts to Range the woods till further order, being Exchanged every tenn dayes, and to be taken out of the several Towns."

"The enemy again appeared in this town and shot Samuel Blake, on the fourth Sabbath in June, 1706.¹" The circumstances of this case are not known.

On the first of August, as Benjamin Fifield, Sen., of this town, who lived about half a mile from Dodge's mills, on the south road to Kensington, was coming out of his pasture on horseback, he was slain by seven or eight Indians, who were lying in ambush, and a lad, his kinsman, was carried away. Mr. Fifield was about sixty years of age. Tradition says, the "lad" was supposed to have had an Indian father.

In 1707 occurred a fruitless expedition against Port Royal. The chief command was given to an inexperienced officer, jealousies arose, and the army broke up in disorder. Capt. Samuel Chesley, under whose command were thirty Hampton men, embarked his company and returned to Portsmouth; but the whole army was ordered back by Governor Dudley, and it remained in the East all summer, though nothing of importance was accomplished.

Meanwhile, the frontiers were in continual alarm. Capt. James Davis had command of a company of fifteen Hampton men in active service, from four to ten days each. Lieut. Joseph Swett marched a company of thirty-one soldiers out of Hampton to Saco, for a service of nine days.

Kingston was but lately settled, and had but few inhabitants; and being a frontier town, was much exposed. Some of the people were discouraged, and in the summer of 1707, eight men left the place. This loss increasing the danger of those that remained, complaint was made to government, and the Captains of Exeter and Hampton were ordered to arrest them as deserters, and oblige them to return to the defense of their settlement, or do duty at the fort during the pleasure of the governor.

CAPT. SAMUEL CHESLEY'S COMPANY.—Jacob Basford, James Basford, Jonathan Batchelder, Timothy Blake, Samuel Clifford, John Edmonds, Benoni Fuller, Thomas Haines, Holdredge Kelley, John Knowles, Benjamin Lamprey, William Lane, Thomas Leavitt, Ens. Samuel Marston, Samuel Marston (Jr.), Nathaniel Meade, John Morgan, Samuel Moses, Joseph Moulton, Josiah Moulton, Christopher

¹Dea Samuel Dow's Diary, in possession of the author's family.

Palmer, Joseph Palmer, Ebenezer Philbrick, Sergt. James Prescott, Robert Rowe, Sr., Robert Rowe, Jr., Enoch Sanborn, John Sanborn, James Southier, Moses Stockbridge.

CAPT. JAMES DAVIS' COMPANY.—Philemon Blake, John Blake, Thomas Brown, Thomas Dearborn, Jonathan Elkins, Benoni Fogg, John Fowler, Ezekiel Knowles, David Moulton, John Perkins, Jonathan Perkins, John Prescott, Nathaniel Sanborn, Jonathan Taylor, David Tilton.

LIEUT. JOSEPH SWETT'S COMPANY.—Benjamin Batchelder, Samuel Batchelder, Nicholas Bond (son of the one killed in 1703?), Benjamin Brown, Samuel Brown, Philemon Dalton, Thomas Dearborn Sr., Thomas Dearborn (Jr. ?), Josiah Dow, Jonathan Elkins, Benjamin Field, Sergt. James Fogg, Nehemiah Heath, John Hobbs, Morris Hobbs, Jr., Benjamin Lamprey, Sergt. Thomas Leavitt, Nathan Longfellow, John Morgan, Daniel Moulton, John Nay, Samuel Nudd, Benjamin Perkins, Nathaniel Prescott, John Sanborn, Joseph Sleeper, Jonathan Taylor, Benjamin Towle, Caleb Towle, Corpl. Thomas Ward, Edward Williams.

The year 1708 was one of constant fear of French and Indians. Scouting parties ranged the woods; spy-boats guarded the coast; four hundred Massachusetts soldiers were posted in the province; and the garrison at Fort William and Mary was strengthened by large reinforcements from Portsmouth and Hampton.

The list of Hampton men, with time of service at the fort, follows:

<i>May 18 to June 1.</i>	William Lunt, John Perkins.
Anthony Crosby, John French, John Hobbs, Christopher Palmer, Jonathan Philbrick, Christopher Pottle, John Wedgwood.	<i>June 29 to July 13.</i> Jacob Brown, William Brown, Timothy Knowles, Christopher Page, John Sanborn, Richard Taylor.
<i>June 1 to July 15.</i> Moses Blake, Joseph Brown, Seth Fogg, John Gove, Isaac Green, Daniel Lamprey, William Marston.	<i>July 13 to July 27.</i> Israel Blake, Benjamin Cram, Daniel Lamprey, Stephen Palmer, Caleb Perkins, Zachariah Philbrick, Jonathan Taylor.
<i>June 15 to July 29.</i> John Brown, Ebenezer Gove,	

July 27 to August 10.

Timothy Blake,
Abraham Brown,
Benjamin Hilliard,
Benjamin James,
John Lunt,
Benjamin Green,
John Green,
Thomas Marston,
Samuel Palmer,
Stephen Palmer.

August 10 to August 24.

Thomas Batchelder,
John Garland,
Samuel Melcher,
David Moulton,
Joseph Palmer,
Thomas Philbrick. ✓

August 24 to September 7.

James Carr,
James Chapman,
Phillemon Dalton,
Thomas Haines,
Abraham Libbey,
William Norton,
Israel Shepard,
Samuel Tilton.

September 7 to September 21.

Jacob Clifford,
Josiah Dow,
John Garland,
Abraham Libbey,
Thomas Marston,
Isaiah Philbrick,
Caleb Swaine,
David Tilton.

September 21 to October 5.

John Dow,
Thomas Leavitt,
Stephen Sanborn,
William Sanborn.

October 5 to October 19.

John Berry,
Robert Moulton.

October 6 to October 19.

Thomas Dow,
Benjamin Perkins.

October 19 to November 1.

John Cram,
Samuel Dow,
Jeremiah Marston,
Edward Williams.

In the summer of 1710, the Indians killed Col. Winthrop Hilton and others of his party; and on the 16th of August, a company of ninety-one men, of whom at least thirty were of Hampton, went in pursuit, under Capt. John Gilman, and were out five days.

Of the situation in 1712, Dr. Belknap writes: "The frontiers were well guarded; one half of the militia did duty at the garrisons and were ready to march at a minute's warning; a scout of forty men kept ranging on the heads of the towns; and the like care was taken by sea, spy-boats being employed in coasting from Cape Neddock to the Great Boar's Head."

Of this scout of forty men, eleven were of Hampton, as follows:

Daniel Bean,
Joseph Brown,
Samuel Clifford,
Jonathan Dearborn,
Henry Dow,

Joseph Dow,
Israel Folsom,
John Garland,
John Prescott,
Robert Rowe,

David Tilton.

News of the Treaty of Utrecht, which terminated the war in Europe, was brought to this country in the autumn of 1712, and on the 29th of October the suspension of arms was proclaimed at Portsmouth. The following summer, a treaty of peace was concluded with the Indians.

LOVEWELL'S WAR. 1722-1725.

A considerable number of Hampton men were employed in the war which bears the name of the intrepid captain of Dunstable. Capt. John Sherburne's company of twenty-three men, in 1722, were mostly of Hampton. In June, 1724, Sergt. John Sanborn's company of thirty-one Hampton men made a three days' march; and about the last of that month, seventeen Hampton men, under Benjamin Lamprey, were sent out for three days. In July, thirty-nine men, of Hampton and Hampton Falls "marched out of Capt. Tilton's company under the command of Daniel Weare, for a three days' march, above the frontiers, finding themselves provisions." What special service these soldiers rendered is not recorded; but probably they formed scouting parties.

Many dastardly acts were committed by the savages and their French instigators; but no violence seems to have been done within the limits of our town; and in December, 1725, another treaty closed the three years' struggle.

KING GEORGE'S WAR. 1744-1749.

The Treaty of Utrecht was a military necessity, not a cordial return to friendly relations between England and France. Each nation was jealous of the other, and both labored to predominate at home and to strengthen and extend their possessions in America. In 1739, England made war on Spain. In the general convulsion that followed, France arrayed herself, inevitably, against England. In 1744, the war burst upon New England, plunging the colonies again into distress and disaster. It "took the frontiers by surprise," although it had been feared. Professor Ridpath writes: "Of all the New England colonies, New Hampshire suffered most from the French and Indian wars. Her settlements were feeble and her territory most exposed to savage invasion. In the last year of King Philip's war, the suffering along the frontier of the province was very great. Again, in the wars of William, Anne and George, the villages of the northern colony were visited with devastation and ruin. But in the intervals of peace, the spirits of the people revived, and the hardy settlers returned to their wasted farms, to begin anew the struggle of life." And Mr.

Drake says: "The small belt along the Atlantic shore of English settlers was situated, as it were, between two fires. The enemy on their back had every advantage. They could always approach the English undiscovered, and when they had committed murders and depredations, could bury themselves in the wilderness; and pursuit oftentimes only aggravated the mischief already done, as the pursuers often fell into ambushes and were cut off."

All this is true of Hampton. For more than twenty years, comparative safety had been enjoyed; though, while the treacherous savages still roamed the wilds, none knew how soon peace might be broken, nor where the deadly tomahawk might strike. And so long as wily French Jesuits controlled Indian tribes, our English ancestors had no certain security. We cannot know the bitterness of the hour when tidings of war again reached these homes. It meant separation of families; danger, perhaps captivity, or torture and death for the soldiers; anxious watching and suspense and almost equal danger for those who remained.

England and France declared war against each other in March, 1744, and the war soon extended to the colonies of the two countries in America, where the chief event was the capture of Louisburg on the island of Cape Breton. The French then held this stronghold, which afforded them great advantages for annoying the English in their fisheries on the Grand Bank, and their trade with the colonies. The commander at Louisburg, soon after the declaration of war, despatched an armed force against two forts of the English in Nova Scotia, one of which was captured, and the other would have met with a like fate, but for timely aid furnished by Governor Shirley of Massachusetts. The Indians of Nova Scotia joined the French in these attacks, and this led to an immediate declaration of war by the English, against them and all the tribes near them. The danger of the English colonies was imminent, for it was well understood that the French were making formidable preparations for a vigorous prosecution of the war.

At this juncture, the bold plan was conceived, of wresting Louisburg from the hands of the French. It was thought feasible to take the city by surprise, early in the following spring. To whom belongs the merit of suggesting this daring enterprise is not fully settled. It is claimed for Governor Shirley and for Mr. William Vaughn of Portsmouth. The plan was laid before the General Court of Massachusetts, by the governor, and the expedition was decided upon by a bare majority, on the 26th of January, 1745. That colony voted to furnish 8250 troops; Rhode Island and New Hampshire voted 800

each, and Connecticut, 500, but New Hampshire actually sent 350 at first, and afterward, 120 more. Col. William Pepperrell, of Kittery, in the Province of Maine, was appointed commander-in-chief of the expedition.

We cannot enter into any details of the siege and surrender of Louisburg, any further than may be needful to show the humble part taken in the enterprise by individuals from this town. We have not been able to ascertain how many soldiers the town furnished, but have reason to believe that it was a full quota. During the siege, the New Hampshire troops were employed in some very laborious and hazardous undertakings, and uniformly showed themselves energetic and brave. One of the most dangerous attempts of the besiegers was to capture or destroy the Island Battery. In this unfortunate attempt by 400 volunteers from several regiments, the New Hampshire troops were very active. Some of the Hampton soldiers were of this number. Several of them, in a petition of a later date say: "When it was thought needful to make an attack on the Island Battery, we readily ventured our lives in that dangerous enterprise, where, tho' we escaped with our lives [we] were in the utmost danger of losing them, and after the greatest trial of this sort, were obliged to submit to the mercies of our enemies."

Jeremiah Marston, who enlisted in Captain Sherburne's company, "was killed a fighting with the French and Indians, in the woods, at some distance from the walls of the city."

Dr. Nathaniel Sargent, Jr., eldest son of Dr. Nathaniel Sargent, who had, for more than thirty years, resided in Hampton, accompanied the expedition to Louisburg, "as a physician and chirurgion, in the regiment that went out of this province. He was in the service five months and twenty days, and had the sole care and charge of said regiment as physician and chirurgion for some time. He was obliged to remain out of the city, in the camps, ten days after the surrender, to look after and take care of upwards of thirty sick and wounded persons, having no person or persons to aid and assist him therein." Dr. Anthony Emery also went as a surgeon.

Other men from Hampton are known to have been at the siege, but we have no knowledge of their personal services or sufferings. The few names, with residences, that may be gleaned from official reports now available, are of men accredited indiscriminately to Hampton, whether from the old town, the Falls or North Hampton. Thus we find Shubael Dearborn, Joseph Redman, John Sleeper, Moses Leavitt (who died), Josiah Shaw, Nathaniel Moulton. Benjamin Thomas was allowed twenty pounds instead of a pension, for his arms being

wounded. Capt. Edward Williams took a company down from Hampton Falls, and he died there. Ebenezer Gove, of Capt. Jonathan Prescott's company died; so did Abner Sanborn, of Colonel Moore's company.

In the same war, though in a different quarter, Capt. Nathaniel Drake of Hampton, with his troop of fourteen mounted men, scouted in and about the woods of Nottingham, where some Indians had been lately seen; but after ten days' diligent search, none were discovered. His men were: Daniel Marston, Reuben Dearborn, David Marston, Samuel Garland, John Taylor, Samuel Batchelder, Daniel Sanborn, Jethro Locke, Samuel Libbey, Samuel Fogg, Joseph Brown, Jonathan Hobbs, Obadiah Marston, Thomas Brown.

Many other familiar names occur in the lists of the *Adjutant General's Report* and in *Provincial Papers*, but as their residences are not given, we cannot say with authority, that they were Hampton men.

"A patched-up peace" was effected by the Treaty of Aix-la-Chapelle, October 7, 1748, news of which, however, did not reach the colonies for six months or more, so that hostilities continued into the following year. A full year elapsed ere a new treaty with the Indians, concluded at Falmouth, Maine, gave promise of tranquillity.

THE FRENCH AND INDIAN WAR. 1754-1763.

A patched-up peace is not likely to continue. The treaty of Aix-la-Chapelle wantonly, as it seemed, gave back Louisburg to the French, and with it, the power to harass and threaten. Their Indian allies, always bloodthirsty, were but lightly restrained. Governor Wentworth, therefore, continued the defenses. In 1750, only a few months after the treaty of Falmouth, he felt obliged to order the enlistment of a troop at Kingston and vicinity. In '52, the Indians renewed their depredations on our western frontiers; and two years later, commanding officers were required by a new law, to call out their troops for military exercise at least four times a year. But the year 1754 saw war again rife. The great struggle for supremacy on this western continent was now to be enacted. Both French and English strengthened their fortifications, looked well to their supplies of arms and ammunition, food and clothing; enlisted soldiers; struck blows. Following the petty strifes begun in 1749, between the Ohio Company and the Canadian fur-traders, were more serious outbreaks in north and west and south; and the astounding revelation of the French purpose to establish a cordon of forts from Canada to the Gulf of Mexico, and possess the land.

General Braddock, commander-in-chief of the English forces, planned

On the same morning, a scouting party from Fort Edward saw wagons burning in the road, and returned to report. Thereupon, eighty New Hampshire and forty New York men were ordered out. They found dead bodies of drivers and cattle, but no foe. The sound of battle was ahead of them, towards the lake. Pressing on, they were in season to harass the retreating French and capture much of their baggage. Fort Edward was saved, and this and other New Hampshire towns spared the slaughter of their sons.

After this engagement, General Johnson called for reinforcements, and built Fort William Henry for the defense of his army at the lake. In response to the call, New Hampshire sent a second regiment of 800 men, under Colonel Gilman, of Exeter. The 2nd company was largely from Hampton. Among them was John Blake, who died at Albany in December. This regiment, mustered September 19, marched by the route of the first, through Number Four to Albany, and in December "marched back again," the campaign of 1755 being ended.

The next year told of disaster. Governor Shirley, who had been commander-in-chief since the death of Braddock, was soon superseded by the inefficient Earl of Loudoun. He employed the armies in unimportant and frivolous works, while the French built and occupied Ticonderoga, strengthened Crown Point, captured the forts on the Oswego river and burned the town. Not till this year was war formally declared. A second expedition against Crown Point came to nothing. For this expedition, New Hampshire sent a regiment of 700. The rolls contain many Hampton names, but as we cannot certainly identify them, we pass them by.

The next year was even more disastrous. New Hampshire again furnished a regiment, a part going with Lord Loudoun to Halifax, to act a farce before Louisburg and return; and the rest joining Colonel Monroe, in the ill-starred defense of Fort William Henry, to be butchered by savages, through the perfidy of General Montcalm.

Tidings of the massacre fired the colonies. Governor Wentworth convened the assembly, and by his message and by letters from the seat of war, told the news, the most horrid details of which had not yet arrived—and said, what shall we do? The assembly replied; we have not enough men left now to defend our own homes—but no matter—we will send 500 more; and if Fort Edward is besieged, let the governor order others at his discretion, and supply money for their march till they join the king's forces. Only, when they can be spared, recall them, for we are dangerously exposed. However, 250 were deemed sufficient, and this battalion of five companies, under Major Tash was forwarded with all speed and stationed at Number Four for

the defense of the fort. Of the two cavalry companies, one, as given below, was from Hampton, a few of the men, probably, being from other towns; the other was commanded by Anthony Towle, born here, but then residing in Chester. His brother Caleb, at that time or afterwards of Hawke, was in the ranks. Jeremiah Marston, son of the Jeremiah killed at Louisburg, was lieutenant of the 8d company, in which were Paul Smith Marston and other Hampton men.

5TH COMPANY (cavalry).

Abner Fogg, Captain.

Abraham Drake, sent Joseph Moulton, Lieutenant.

Joshua Pickering, Cornet.

Edward Hilton, Qr. Master.

Samuel Webster, Corporal, sent Burnham.

Thomas Pickering.

Thomas Marston.

Cotton Ward, Clerk.

John Young, Private.

Nathaniel Wallace.

Pearson Brown.

Samuel Sherburn.

Moses Blake.

Edward Smith.

Abraham Dearborn.

John Batchelder.

John Shepard.

Benjamin Norris.

✓ Joshua Webster.

Samuel Dalton.

Obadiah Marston, Trumpeter.

Charles Huntoon, Private.

Paul Fifield.

Burnham Webster.

Tristram Sanborn.

Isalah Rowe.

Josiah Clough.

Benjamin Fuller.

Jonathan Locke, sent Abraham Dearborn.

John Weeks.

Walter Wiggins, sent Piper.

Francis McCoy.

Benjamin Busswell.

Samuel Winslow.

Moses Richardson.

Benjamin Seagle.

Noah Hobbs.

Joseph Moulton.

Benjamin Leavitt.

James Piper.

Jonathan Sanborn, Trumpeter.

Caleb Smith, Private.

Simon Lamprey, sent D. Webster.

Samuel Brown.

Benjamin Smart.

Abraham Kenniston.

About a month after the adjournment of the assembly, the governor received a requisition from Lord Loudoun for a company of fifty rangers, to be in service all winter; the earl promising, however, to dismiss those already sent as early as he could do so with safety. The governor replied that nearly one-third part of the regiment posted at Fort William Henry were "either killed or captured;" that the men fittest for rangers' service were incapacitated by the terms of the capitulation or now actually abroad; that he had just sent 250 men to the war; nevertheless he would use his utmost endeavors to comply with the requisition.

Lord Loudoun did, in fact, in fulfillment of his promise, dismiss a

good many men after a month's service. Of Captain Fogg's company, a few were soon discharged, but the greater part remained at Number Four till into November. But the rangers were not sent till the following January. Whether any Hampton men were in this important branch of the service, we do not know.

Let us comprehend the situation. "At the close of the year 1757, France possessed twenty times as much American territory as England; and five times as much as England and Spain together." Flushed with her two years' triumphs, she had grown bold and arrogant. The English were correspondingly depressed, but still resolute.

The period of the war, thus far, had been one of peculiar trial at Hampton. The fatal ravages of the throat distemper; the terror of the earthquake; the law-suits; the constant danger of attacks by land and sea, and men needed for defense gone into peril, some of them to death, in the army; short crops and scanty subsistence — ah! we little know at what cost our homes were purchased! But now, if men had but known it, the crisis was past. William Pitt had taken the helm and all was changed. With efficient commanders and a liberal policy, courage revived and success followed. The next two years saw the power of France broken; and, before 1760 closed, all Canada belonged to Great Britain, and, the western and southern forts had been reclaimed.

For the campaign of 1758, New Hampshire raised 800 men, a portion of the regiment participating in the second siege and capture of Louisburg, and the rest at Ticonderoga and the western frontier. Hampton still bore her part in the conflict. This was the year that John Lamprey was chosen constable instead of Eliphalet Sanborn, who was "gone out into the King's service." On the 4th of June, Rev. Ward Cotton preached from Matt. 26: 41, "Watch and pray that ye enter not into temptation." The sermon was addressed to the soldiers, who were going away the next day. A time-stained paper, dated June 6, 1758, still preserved, requires Samuel Dow, clerk of the 1st company in the 3d regiment of militia, "forthwith to Impress a Suffieient Gun for the use of Benjamin Sanborn, belonging to said Company and Going in the Expedition against Canada, and Deliver said Gun to said Benjamin Sanborn and make Return" &c., signed, Meshech Weare. The Hampton roll for this regiment cannot be given. And for 1759, "No roll of this regiment [of 1000 men] is to be found. It was made up, as was usual in all such cases, of drafts from each of the regiments of militia in the Province." From Col. Meshech Weare's regiment was drafted a company commanded by Capt. Jeremiah Marston of Hampton. He had been a lieutenant

in the campaign of 1757. He also commanded a company in 1760, and was present at the surrender of Montreal. In his command were many Hampton men, among whom, Timothy Dalton is known to have died at Ticonderoga.

"Prior to the arrival of the several companies to the place of rendezvous [Exeter], they were under the immediate command of the governor, and he issued special orders to each company. Gov. Wentworth's order to Capt. Marston has been preserved, and is as follows :

'Province of New Hampshire.

To Capt. Jeremiah Marston :

You are hereby directed to assemble the company of foot, raised for the Canada expedition and under your command, without loss of time, and march them to Dunstable, where you will receive orders from Col. Lovewell for your further proceeding toward Albany. If your whole company can not be got together at one and the same time, you are to have a prudent and careful person to collect them and follow you to Dunstable.

Given at Portsmouth the 12th day of May, 1759.

B. Wentworth.' "

During the war, many of the sick, from small pox and other diseases, were sent into hospital at Albany.

"Jon^a Elkins came into y^e house [of Representatives] and Represented that he was a soldier in the Crown Point Expedition in the year 1755, that he was discharged in the Muster Roll y^e 21st of Octob^r which was 21 days short,¹ he being left to take care of the sick at Albany, w^{ch} place he did not leave till y^e 28th of said month, & prayed further allowance" —which was granted.

John Elkins died in the army at Albany. He was son of Jonathan, and he had a brother Jonathan. The above was very probably one of them.

March 18, 1760, was observed as *thanksgiving-day*, "occasioned by y^e Reduction of queBack."

May 18, following, Rev. Ward Cotton preached to the soldiers who were going that week to join the army, from Acts x : 7, "A devout soldier."

Hostilities between the opposing nations continued on the ocean till 1768, when the Treaty of Paris brought peace and quietness after the long conflict.

¹Probably should read 7 days.

The next war that darkened the land, was the fearful struggle for Independence.

GARRISON HOUSES.

For a full century and a quarter from the time when our History opens, there was never a year when the people could confidently expect immunity from Indian outrage. Not that they lived always in fear. A threatened danger, long delayed, gradually loses its terror; and there were considerable intervals when no outbreaks occurred and the savages affected great love for the families of their white brothers. But treachery was characteristic of all the tribes; and, as this record of the wars has shown, safeguards were constantly demanded, in places of refuge, stores of ammunition, trained soldiers and danger signals.

Garrison houses were in every town; most of them owned and occupied as dwellings in times of peace—crowded with refugees and guarded by armed men when danger seemed imminent. The annals of these garrison houses, if any had been kept, would make an exciting chapter in the history of the times. Very little detail, however, has come down even by tradition, of the garrisons of Hampton. The houses themselves are mostly gone, though a few have been demolished within the memory of people now living. One of these was the Philbrick house in the east part of the town, which stood where John A. Philbrick's house now stands, till it was taken down in 1855. It was heavily timbered, the eastern half of the second story projecting over the first, with openings here and there in the floor of the projection, through which shot might be fired downward, or water poured, if the savages pursued their favorite plan of setting fire to the house. Other loop-holes guarded the approach. A fragmentary jotting, still to be seen in a manuscript of the third Dea. Samuel Dow, who lived nearly opposite, "Rember, Remember how y^e landins came down upon you to destroy you had you not had help from y^e garrison to drive" ——— very likely referred to an attack frustrated by the soldiers stationed here.

Ordinary houses were sometimes utilized for garrisons. It is said that, in one of the wars, the old Toppan house premises were enclosed by a stockade, and many of the inhabitants of the town sheltered within, some only going for the nights, carrying bundles of straw and sleeping in the yard, while the appointed watch was kept. In the morning, the gate was opened to allow the able-bodied men to pass out, armed of course, to their daily work, while all others remained under ward through the day. The story is told, that a girl ventured

out near nightfall, to drive in a cow; that she was surprised by an Indian and ran for her life, barely reaching the gate, when some one within stretched out an arm and pulled her safely through.

Other garrison houses, at the town, on the Falls side, at North Hill and wherever there were considerable settlements, gave such security as could be afforded, slender at best, against savage cunning and malice.

[From Capt. Henry Dow's Diary]: "Simon began his fortnight to find the watch-wood the 11 March, 1694."
 "An account of peopells neglect of watching August 26 Ebenezer Webster refused to watch one night and ward y^e day after when it was his turne & Will: Lane the same day & night refused & was a delinquent. August 30 Arretas lovitt Refused to ward a day Joseph Philbrick September 20 Refused to watch in the night and ward the day after. William ffifield September y^e 21: 27 refused to watch two nights & two days."

CHAPTER XIV.

IN THE REVOLUTION. 1774-1783.

PATRIOTIC RESOLVES.

THE period which forms the subject of this chapter is an eventful one in the history of our country—that of the American Revolution. For ten years, the oppressions of Great Britain had tightened about her colonies, till nothing was left for them but to wrench themselves clear altogether.

The people of Hampton early caught the spirit of liberty, as is evident from their proceedings at a meeting held January 17, 1774, and, by adjournment, February 7, “for the purpose of considering the unreasonable and unconstitutional power and claims which the Parliament of Great Britain have assumed over the rights and properties of His Majesty’s loyal subjects in America:” and to consult how best to counteract “every bold and wicked attempt of the enemies of the British Constitution to enforce their unjust usurpations.”

Jonathan Moulton, Esq., was chosen moderator.

The sentiment of the town was very strongly expressed, that it must be evident “to Every one that is not Lost to Virtue, nor devoid of Common Sense,” that if these usurpations are submitted to, they “will be totally Destructive to our natural and Constitutional Rights & Liberties, & have a direct Tendency to Reduce the Americans to a state of actual Slavery:” Therefore, “feeling that Concern & Indignation, which should animate Every honest Breast, we look upon it as our Indispensable Duty, as men, as Christians, and as Americans, Publickly to express our Sentiments & Determinations at this important & alarming Crisis.”

A committee was accordingly chosen, to prepare fitting Resolves, and report at an adjourned meeting: which, being done, and the Resolves “having been distinctly Read, & with Due Deliberation considered, it was put to vote whether they should be accepted as the opinion & Determination of this Town, which passed by a very grate majority in the affirmative.”

The resolves are as follows:

"Resolved, 1st, That it is Inseparably essential to the Freedom of a People, & the Inherent Right of Englishmen, in Every part of the British Dominions, that no Tax be imposed on them without the consent of themselves or their Representatives; that the local Circumstances of the People in America cannot admit of their being Represented in the Parliament of Great Britain, & therefore they are Exempt from Parliamentary Taxation.

2nd, That no Taxes can be Constitutionally imposed on the People in the Colonies but by their Respective Legislatures, & that the sole Right of imposing Taxes on the Inhabitants of this, his Majesty's Province of New Hampshire, in particular, is now, & ever hath been Legally & Constitutionally vested in the House of Assembly, Lawfully convened, with Consent of Council & his majesty, or his Representative, the Governor, for the time being.

3d, That the Act of the British Parliament, imposing a Duty on Teas payable in America upon being Landed, is a Tax imposed on the Americans without their consent; & the Express Purpose for which that Tax is Levied has a Direct Tendency to subvert our Constitution, Render our Assemblies useless, & Introduce that plan of arbitrary government which—to Every attentive person appears—the ministry of Great Britain are artfully endeavouring to Establish over the Americans.

4th, That a virtuous & steady opposition to Every artful measure to enforce said Act, is the most Likely method, under God, to obtain a Repeal of the same; & that it is, therefore the Duty of Every American to concur in advancing & supporting that Glorious Design.

5th, That we will, to the utmost of our Power, in Every Reasonable & Constitutional way, Endeavour to promote & Defend the Happiness & Security of America, and, if Ever necessity Requires it, we will be ready in conjunction with our oppressed American Brethren, to Risque our Lives & Interest in support of those Rights, Liberties & Privileges which our Supreme Law Giver & our happy Constitution has [have] entitled us to."

At the same meeting, Philip Towle, Capt. Josiah Moulton, Amos Coffin, Esq, William Lane & Josiah Moulton 3d were chosen a committee, "to correspond with other committees in this and the neighboring governments as they may see occasion."

EXETER CONVENTIONS.

The next May, a committee of correspondence was appointed by the popular branch of the General Assembly. This measure was displeasing to Governor Wentworth, and he first adjourned, and soon after dis-

solved the assembly. But he could not thus smother the rising flame of liberty. At the call of the committee, the representatives again met, and, though the governor, through the sheriff of Rockingham, ordered them to disperse, they proceeded with their business. They wrote to all the towns in the province, requesting them to send delegates to a convention to be holden at Exeter, for the purpose of choosing delegates to a General Congress of the American colonies.

The town of Hampton responded to the call, and on the 18th of May chose Col. Jonathan Moulton, Col. Christopher Toppan, Capt. Josiah Moulton and Josiah Moulton 3d to attend the convention at Exeter. They were empowered to act in behalf of the town, on all questions that might arise.

The convention, consisting of eighty-five deputies, met at Exeter on the following Thursday, May 21. The sum of two hundred pounds, to defray the expenses of the two delegates chosen to the Congress, that was to meet at Philadelphia in September, was raised by the towns. The proportion for Hampton was three pounds thirteen shillings.

In January, 1775, the town chose deputies to another convention, to be holden at Exeter, and invested them with such powers as the purposes of the convention seemed to require. On this occasion, *nine* deputies were chosen, viz: the four who had served in the former convention, and with them, Capt. Jeremiah Sanborn, Anthony Emery and Amos Coffin, Esquires, Mr. William Moulton and Lieut. John Fogg. The sum appropriated for the expenses of the delegates to the next Continental Congress, chosen at this convention, was two hundred fifty pounds, of which Hampton paid six pounds ten shillings sixpence, having raised the same by a tax. The convention chose a committee of correspondence, authorized to call another convention when necessary, and adopted such measures for the general safety as seemed imperative. And none too soon: in less than three months the guns of Lexington echoed throughout the country.

THE SEABOARD EXPOSED.

The people of Hampton had fifteen months before proclaimed their opposition to British aggression, and their determination to resist it by force of arms, if necessary; and it may well be supposed, that the wanton slaughter of their countrymen at Lexington and Concord would not diminish their opposition, nor cool their resolution. But their situation, and that of a few other towns in this vicinity, was peculiar. These towns lay upon the seaboard, and the enemy might at any time annoy them by landing on the beach with boats; or effect a wider destruction, by sending a naval force into the Pis-

catagua. Rumors were already afloat, that the British were coming, but at what particular point they would most probably appear, none could tell. Under these circumstances, it might have been thought that patriotism did not require, nor prudence permit the men of these towns to leave the seaboard unguarded, and their own families at the mercy of the foe; but that their first duty was to provide for the defense of the sea-coast by an adequate force. Still, an order was given at Hampton, the next day after the Lexington and Concord fights, for the soldiers to proceed immediately to Boston. They accordingly set out the same day, but at Ipswich, a counter-order was received, and they returned home, where they arrived on the 22nd. They were probably sent back to aid in the defense of the coast.

A new assembly having been summoned by Governor Wentworth, the General Court commenced a session on the 4th of May, about two weeks after the battle of Lexington. The governor, entertaining hopes that the difficulties between England and the colonies might yet be settled, and harmony restored, opened the session with a speech, entreating the members of the court to adopt a pacific policy. At the request of the House, he then adjourned them to the 12th of June, to give them an opportunity to consult their constituents.

A few days afterward, the town of Hampton chose Capt. Josiah Moulton and Josiah Moulton 8d—who were also members of the assembly—to represent the town in a convention soon to be holden at Exeter, and voted, that said delegates, when met, should be empowered and authorized to adopt and pursue such measures as might be judged most expedient to preserve and restore the rights of this and the other colonies, and to act in behalf of themselves and their constituents, for six months, if they should judge the same necessary, and to adjourn as occasion might require.

To this convention, which met on the 17th of May, the representatives applied for instructions. The state of the country was such as to demand promptness of action on the part of the convention. They at once resolved to raise two thousand men in the province, to be formed into three regiments, and to be placed under the command of Colonels Stark, Reed and Poor. Those men, who had already gone as volunteers to the theater of war, were to form two of these regiments, and the third was to be enlisted immediately. The whole were to serve till the close of the year, unless sooner discharged.

At this time the fears that the enemy would land on the coast had increased, and about the close of the month, the danger appeared imminent. It became known that the British had sent out from Boston a considerable number of "cutters," having their decks filled with

boats, the whole movement indicating some such design as had before been suspected. At this juncture, General Ward sent a letter by express to the different towns along the coast, warning them of their danger, and urging them to be ready for action. He wrote as follows :

"Head Quarters, Cambridge, 29th May, 1775.

Sr, By Information just receiv'd from Boston, I apprehend the Enemy intend to make an attack somewhere this night; therefore would have your people in readiness to act on the shortest notice, if there should be occasion.

I am &c.

Artemas Ward."

This letter was sent to the committee of correspondence of Salem, by whom it was forwarded, with further particulars, to Manchester, and so on from town to town along the coast. It reached Newburyport at half past four o'clock in the afternoon, and was immediately forwarded to Hampton.

A memorial was promptly drawn up, and presented to the convention, rehearsing the advice from General Ward, and setting forth the absolute necessity of guarding the sea-coast and the expediency of employing for this purpose, forces to be raised in this part of the province, rather than that these forces should be sent to Massachusetts, and others called from a distance to defend the sea-board.

The exigency of the case admitting no delay, the memorial was put into the hands of the member from Hampton Falls, without signatures, and he presented it at the next meeting of the convention, accompanied by the following note :

"To the President of the Provincial Congress.

At the request of many persons who represent to me that the general mind of the people in the towns near the coast is as above represented, and that much uneasiness is in their minds until some provision be made for their defense, I subscribe in their behalf, to save the time of collecting great numbers of subscribers.

Meshech Weare."

The memorial appears to have been referred to the Committee of Safety, for at their meeting the first day of June it was determined that two companies should be mustered and equipped, and sent to guard the seacoast for the present, and that the companies that should first be in readiness, should be thus employed. People of Hampton, according to tradition, performed this service on their own coast; whence it happened that but few, if any of them were present at the Battle of Bunker Hill, which was fought while they were thus engaged.

THE END OF ROYAL GOVERNMENT.

The General Assembly met June 12, according to adjournment, and the governor again urged upon the members a conciliatory course; but, though "a man of sound understanding, refined taste, enlarged views and dignified spirit," being a loyalist, he had ceased to have much influence with the majority. At the end of a month, he again adjourned the assembly; but they never transacted any more business; and Governor Wentworth soon after left the province.

CAPTAIN HENRY ELKINS' COMPANY.

The company of Infantry, in Hampton, was at this time under the command of Capt. Henry Elkins. The Committee of Safety, on the 15th of June, addressed to him the following order:

"Sir,

You are directed to man *two whale-boats* out of your company, & keep them constantly cruising off & on the coast, & direct them to acquaint all vessels bound to Piscataqua, having provisions, salt or molasses on board, that the man-of-war there has orders to seize them; & advise them to get into York, Newburyport, Hampton or Rye, as they judge expedient."

Near the close of the month, Captain Elkins was directed "to order his boatmen to put into the Shoals, & bring to Hampton any cannon-shot they may find there, if the people at the Shoals will allow it to be done."

On the 6th of July, Capt. Josiah Moulton was appointed paymaster of Captain Elkins' company, and the Receiver General was ordered to pay to him £189 16s. lawful money, for their pay for one month; and £97 10s. to pay for billeting the company. The order for the payment of the latter sum was given on the 1st of August, and the same day it was ordered, that Captain Elkins should march his company immediately to join the army at Medford.

It is difficult to ascertain precisely what force was stationed along the sea-board. It undoubtedly varied somewhat according to the apprehension of danger at different times. After the battle of Bunker Hill, on the 17th of June, the fears that had agitated the people for a few weeks previous, appear to have subsided. Still it was not prudent to leave the coast entirely unguarded, though, as we have seen, *the company* that had been stationed there, was withdrawn on the 1st of August.

At a town meeting six days afterward, it was voted to have four men on guard at the beach every night. Lieut. James Philbrick was

appointed to make a list of the names of all the persons in the town, liable to perform this service, and empowered to order the guard by turns. His list, still to be seen, contains 168 names, and 158 checks to denote the performance of guard duty.

COMMITTEE OF SAFETY.

The convention at Exeter having recommended that a committee of safety should be chosen in each town in the province, this town voted to comply with the recommendation, and chose for their committee: Dr. Anthony Emery, Col. Jonathan Moulton, Capt. Josiah Moulton, Amos Coffin, Esq., Lieut. Cotton Ward, Mr. Josiah Moulton 3d, Lieut. John Dearborn, William Lane, Cornet Simon Nudd, Ens. Philip Towle, John Lamprey, Ens. Jonathan Garland, and Lieut. Josiah Dearborn.

The British having burned a part of Falmouth [now Portland], in Maine, and it being feared that they would also attempt to destroy Portsmouth, General Sullivan was dispatched from Cambridge, in October, to take the command of the militia and defend the harbor of the Piscataqua. Thirteen soldiers were sent from Hampton; but all of them were discharged after a few days. A month later, the convention at Exeter voted that eight hundred men, officers included, divided into eight companies, should be enlisted at once for the defense of the harbor of Piscataqua and the fortress there. Capt. Henry Elkins, of Hampton, was to command one of the companies.

The royal government in New Hampshire having virtually ceased, the chief authority now acknowledged was that of the convention sitting at Exeter. In that convention were one hundred thirty-three members, representing one hundred two towns. As it would have been very inconvenient for so large a body to attend to all the details of business, they appointed, besides other committees for specific objects, a committee, styled "The Committee of Safety," to whom they gave this general instruction and authority: "To take under consideration all matters in which the welfare of the Province in the security of their rights is concerned; and to take the utmost care, that the public sustain no damage." Special instructions were also, on some occasions, given to them. They at all times exercised executive powers, and when the convention was not in session, "their orders and recommendations had the same effect as the acts and resolves of that whole body." Capt. Josiah Moulton was the only member of this committee, belonging to Hampton. He was first appointed May 24, 1775, and held the position till January 31, 1781, when he also ceased to be a member of the House of Representatives, the town

having chosen another person in his place at the election in December, 1780.

A PROVINCIAL CONGRESS.

As the delegates to this convention had been chosen for only six months, their authority would cease in November. They, therefore, applied to the Continental Congress for advice respecting the government of the province after that time. Congress advised "to call a full and free representation of the people ; that these representatives, if they should think it necessary, might establish a temporary form of government, till peace should be restored."

The convention having considered this advice and matured their plan, sent to the several towns a circular containing the plan, and then adjourned *sine die*, November 16.

According to this plan, the number of representatives was to be considerably less than that of delegates in the convention. Hampton, having between one and two hundred families, was entitled to only one representative, and never since has a larger number been allowed.

The towns generally responded to the call thus made by the convention, and appointed delegates, or representatives to a provincial congress, giving them such powers as were deemed necessary to accomplish the objects proposed. Capt. Josiah Moulton was chosen for Hampton and held the office, by annual election, six years.

About this time, the Committee of Safety received a letter sent by express from General Sullivan, informing them of the withdrawal of the Connecticut troops from the lines at Cambridge, and asking them to send troops from New Hampshire to supply their places. The committee held a special meeting at Portsmouth, December 2, 1775, to act upon the request. They gave orders to sixteen "gentlemen, each to enlist a company of sixty-one able bodied men, including 3 sergeants & 3 corporals, well provided with arms & blankets, to serve in the Continental Army, under the command of General Washington, until the 15th Jan^y next unless sooner discharged, & as soon as enlisted to march them immediately to join General Sullivan's Brigade." Blank orders were also entrusted to several judicious persons, to put into the hands of men whom they considered suitable for raising other companies. The whole number of companies mustered into the service under this call, was thirty-one. One of the sixteen men, to whom these orders were given, was Capt. Henry Elkins, of Hampton, and he appears to have acted promptly, for his company was styled the "First Company."

When the new form of government went into operation, Hon. Meshech Weare, having been chosen as one of the council, was elected

president of that body. He was soon after appointed chief justice of the Superior Court of Judicature, "thus being invested at the same time with the highest offices, legislative, executive and judicial. No stronger testimony could be given, of the confidence reposed in his integrity and ability."

About the same time Josiah Moulton, Esq., was appointed one of the justices of the Inferior Court of Common Pleas for Rockingham county.

On the 11th of March, the House of Representatives voted, "to raise three companies of one hundred men each, including officers, out of each of the following regiments, viz. : Portsmouth, Dover & Hampton, to be on the lines at Portsmouth immediately with arms & ammunition complete, and there to continue till further orders; to be paid from the time of marching, the same as the Provincials of the preceding year were paid."

DEFENSE OF PORTSMOUTH.

An act was passed the next day for a regiment of three hundred men, to be raised speedily and stationed at or near Portsmouth, till December 31, if there should be occasion for keeping them there so long. These were to be taken as equally as might be, from the three counties of Rockingham, Strafford and Hillsborough, and to be paid as officers and soldiers in the service of the colony received the last year. Several colonels, including Colonel Moulton, of Hampton, were directed to warn all the militia under their command to hold themselves in readiness to march at a minute's warning, properly equipped, and with three days' provisions, which militia, in case of their going into actual service, were to be paid as other troops. It was also ordered that sentries should be stationed at New Castle and Hampton, to give the speediest notice of the appearance of the enemy's fleet; and that persons should be agreed with to hold themselves in readiness, when ordered by the proper authority, to notify General Washington, and alarm the country, in case of the enemy's appearance.

A week later this town voted "to pay all those men that went to Ipswich or Portsmouth in the time of the alarms, that have not been paid." To what particular occasion allusion is here made, on which men "went to Ipswich," is uncertain, but it was probably that already mentioned, when soldiers having gone thus far on their way to Boston, had been ordered to return.

At the same meeting, the selectmen were instructed to build a Guard House at the sea shore, "and to do it in the cheapest manner possible."

A guard house was accordingly built—or an old one removed and repaired—and placed on the bank a little to the eastward of the site now occupied by the Rockingham House, where it remained till near the close of the war. The cost, £5 14s. 2d. was paid by the Committee of Safety.

TEST PAPERS.

In the spring and summer of 1776, efforts were made to ascertain, as nearly as possible, who were friendly to the American cause and who still adhered to the British. The former about this time began to be called *WHIGS*, and the latter, *TORIES*—names that had been in use in England nearly a century, to denote the *country party* and the *court party*. One means now employed was to offer to the people for their signatures, *TEST PAPERS*, as they were called, the nature and design of which are shown by the Resolves of Congress, and the orders issued to the selectmen of the several towns in New Hampshire, by the Committee of Safety, which are here introduced. Many of these papers are still preserved in the office of the Secretary of State at Concord. The one from Hampton contains the names of one hundred seventy-four signers—only two persons having refused to sign. As it is an interesting and important document, it is here given in full, with no other change than a transposition of the names so as to arrange them in alphabetical order as a matter of convenience.

COLONY OF NEW HAMPSHIRE.

In Committee of Safety, April 12, 1776.

In order to carry the underwritten RESOLVE of the Hon'ble Continental CONGRESS into Execution, You are requested to desire all Males above Twenty-one years of age (Lunaticks, Idiots, and Negroes excepted) to sign to the DECLARATION on this Paper; and when so done, to make Return hereof, together with the Name or Names of all who shall refuse to sign the same, to the General-Assembly, or Committee of Safety of this Colony.

M. WEARE, *Chairman.*

In Congress, March 14, 1776.

Resolved: That it be recommended to the several Assemblies, Conventions, and Councils, or Committees of Safety of the United Colonies, *immediately* to cause all Persons to be *disarmed*, within their Respective Colonies, who are *notoriously* disaffected to the Cause of AMERICA, or who have not associated, and refuse to associate,

to defend by ARMS, the United Colonies, against the Hostile Attempts of the British Fleets and Armies.

Extract from the Minutes.

CHARLES THOMPSON, *Sec'ry.*

In consequence of the above Resolution of the Hon. Continental CONGRESS, and to show our Determination in joining our American Brethren, in defending the Lives, Liberties and Properties of the Inhabitants of the UNITED COLONIES;

WE the Subscribers do hereby solemnly engage and promise, that we will, to the utmost of our Power, at the Risque of our Lives and Fortunes, with ARMS, oppose the Hostile Proceedings of the British Fleets and Armies, *against the United American COLONIES.*

John Allarman.
Jeremiah Ballard.
Benjamin Batchelder.
Carter Batchelder.
Jeremiah Batchelder.
Nathaniel Batchelder.
Jethro Blake.
Jonathan Blake.
Nathan Blake.
Samuel Blake.
W^m Branscombe.
Moses Brown.
Nathan Brown.
Samuel Brown.
Samuel Brown, jun.
Zechariah Brown.
Amos Coffin.
John Crosbie.
John Dearborn.
Josiah Dearborn.
Nathaniel Dearborn.
John Dow.
Joseph Dow.
Samuel Dow.
Simon Dow.
Jonathan Dowst.
John Drake.
John Drake, jun.
Robert Drake.
Robert Drake, jun.
Samuel Drake.
Samuel Drake, jun.
Henry Elkins.

Jonathan Elkins.
Moses Elkins.
Anthony Emery.
Henry Fifield.
Stephen Fifield.
John Fogg.
George Freese.
Joseph Freese.
Jonathan Garland.
Jonathan Garland, jun.
Joseph Garland.
Jonathan Godfrey.
James Hobbs.
Morris Hobbs.
Joshua James.
Richard Jenness.
Thomas Jenness.
Elisha Johnson.
James Johnson.
John Johnson.
Joseph Johnson.
Nathaniel Johnson.
Amos Knowles.
Amos Knowles, jun.
Jeremiah Knowles.
Daniel Lamprey.
John Lamprey.
John Lamprey, jun.
Nathaniel Lamprey.
Reuben Lamprey.
Ebenezer Lane.
Jeremiah Lane.
John Lane.

Joshua Lane.
 Josiah Lane.
 Oliver Wellington Lane.
 Simon Lane.
 Ward Lane.
 William Lane.
 William Lane, jun.
 Jonathan Leavitt.
 Thomas Leavitt.
 Jonathan Locke.
 Samuel Locke.
 Andrew Mace.
 Elisha Marston.
 Ephraim Marston.
 Jeremiah Marston, jun.
 John Marston.
 Jonathan Marston.
 Jonathan Marston, jun.
 Philip Marston.
 Samuel Marston.
 Simon Marston.
 Benjamin Mason.
 Edmund Mason.
 Josiah Mason.
 Micajah Morrill.
 Benjamin Moulton.
 David Moulton.
 Edward B. Moulton.
 Elisha Moulton.
 Ephraim Moulton.
 Ezekiel Moulton.
 John Moulton.
 John Moulton, jun.
 John Moulton, 3d.
 John Moulton, 4th.
 John Moulton, 5th.
 John Moulton, 6th.
 Jonathan Moulton.
 Jonathan Moulton, jun.
 Josiah Moulton.
 Josiah Moulton, jun.
 Josiah Moulton, 3d.
 Nathan Moulton.
 Robert Moulton.
 Small Moulton.
 William Moulton.
 John Nay.
 Joseph Nay.
 Samuel Nay.

Simon Nudd.
 Thomas Nudd.
 Abner Page.
 Benjamin Page.
 Samuel Page.
 Shubael Page.
 Stephen Page.
 Thomas Page.
 Jacob Palmer.
 James Perkins.
 Daniel Philbrick, jun.
 James Philbrick.
 John Philbrick.
 Joseph Philbrick.
 Samuel Philbrick.
 John Randall.
 John Redman.
 Abner Sanborn.
 Jeremiah Sanborn.
 John Sanborn.
 Jonathan Sanborn.
 Nathan Sanborn.
 Simon Sanborn.
 Winthrop Sanborn.
 Benjamin Brown Shaw.
 Edward Shaw.
 Gideon Shaw.
 Jeremiah Shaw.
 Jonathan Shaw.
 Joshua Shaw.
 Samuel Shaw.
 Henry D. Taylor.
 John Taylor.
 John Taylor, jun.
 Ebenezer Thayer.
 Christopher Toppan.
 Abraham P. Towle.
 Amos Towle.
 Amos Towle (tanner).
 Elisha Towle.
 James Towle.
 John Towle.
 Jonathan Towle.
 Joseph Towle, jun.
 Joshua Towle.
 Joshua Towle, jun.
 Josiah Towle.
 Nathaniel Towle.
 Philip Towle.

Phillip Towle, jun.	John Tuck.
Samuel Towle.	Jonathan Tuck.
Samuel Towle, (jun.?)	Jonathan Tuck, jun.
Simon Towle.	Cotton Ward.
Benjamin Tuck.	Thomas Woodman.

Colony of New Hampshire. Pursuant to the within Request, we the subscribers, Selectmen of Hampton, have Desired all males within said Hampton, above twenty-one years of age (Lunatics, Idiots, and Negroes excepted) to sign to the Declaration on this paper; and there are that have Refused to sign the same, viz.: Capt. Jeremiah Marston & Daniel Philbrick.

Given under our hands & Dated
at Hampton aforesaid
June y^e 4th, 1776.

William Lane,	} Selectmen of Hampton
Joseph Dow,	
Josiah Dearborn,	
Jonathan Garland,	
Cotton Ward.	

To the Honor^{ble} Committee of Safety of said Colony of New Hampshire.

BOUNTIES AND ENLISTMENTS.

At a town meeting holden in the latter part of July, 1776, it was voted, "To give to each man who has enlisted to make up our proportion of men for this town, and who is gone under Capt. Samuel Nay, to join our brethren of the Northern Army, the sum of four pounds two shillings Lawful money, as an additional bounty to the bounty granted by the colony." Also voted, that the selectmen raise the money by a tax and pay it to the soldiers upon their return; and in case any of them should not return, then their friends to be entitled to the same.

In the spring of 1777, the town voted "To give each man that shall enlist, fourteen pounds, over and above what is allowed by the continental and State bounty; and that the selectmen be hereby empowered to assist the commissioned officers in enlisting the men."

At an adjourned meeting, April 3, Joshua James and Lieut. Josiah Dearborn were chosen as a committee to be sent out, to hire men to fill up the quota of the town in the continental army.

Four days after, it was voted "to allow those persons that have done service in the war, so far as a committee shall judge proper to allow them." The committee chosen to make such allowance consisted of the following persons: Lieut. Cotton Ward, Mr. Josiah Moulton, Ens. Philip Towle, Joseph Dow, and Morris Hobbs. Voted, "to give each man that shall enlist, thirty pounds, Lawful money, as an

addition to the State and continental bounty." Lieut. Jonathan Garland and Lieut. John Taylor were chosen a committee to hire men to enlist.

A few weeks afterward the bounty offered was somewhat modified, and Lieut. Jonathan Garland, Lieut. John Fogg and Capt. Samuel Nay were appointed to enlist soldiers. At the same meeting the selectmen were impowered to raise two thousand one hundred dollars for the purpose of hiring soldiers.

Early in May, another town meeting was holden, in relation to bounties and enlistments. It was found very difficult to procure seasonably as many men as the town was called upon to furnish for the war. The term offered to those enlisting into the service were altered from time to time, as their varying circumstances seemed to require.

At this meeting, it was voted, "to give to each soldier that should enlist into the continental service in behalf of the town, for, and during the term of eight months, the sum of £17 6s. 8d., lawful money, including the continental and State bounty, if any should be allowed." Capt. Samuel Nay, Lieut. John Fogg and Mr. Micajah Morrill were chosen and empowered as a committee, to enlist soldiers in behalf of the town, for the term of three years, one year, or eight months, as might be agreed upon; but they were to do it at the cheapest rate they could possibly procure them.

Col. Jonathan Moulton and Capt. John Moulton were chosen to make application to the General Court, or the Committee of Safety of the state to have the town allowed for the soldiers enlisted into the continental army in behalf of the town, for the term of one year, or eight months, "the proportion of continental & state bounty, & other emoluments, for either of said terms, as are allowed to soldiers enlisting for three years."

The same day, the Committee of Safety wrote to Colonel Moulton "to keep a Guard at the Boar's Head, of two persons constantly night & day."

STAMPEDE OF THE CHILDREN.

It was probably a little earlier than this, perhaps in the first year of the war, that the stampede of the children occurred.

The people, as has been said, were in constant fear of an invasion of the British by way of the sea; and, there is little doubt that false alarms were sometimes given. This time the cry, "The regulars are coming!" was made just as the children were dismissed from school. Panic-stricken, they fled, not to their homes, but back towards the country,—anywhere, away from the sea and the terrible red-coats.

On they sped for three or four miles, as far as the "'Hio meeting House"¹ (as one of them related years afterwards), till overtaken by friends and brought back, with the assurance that it was not, after all, "the regulars," but some fishermen clad in red flannel shirts, that had caused the alarm.

Committees were appointed, to request the presence of Hon. Meshech Weare and Josiah Moulton, Esq., members of the Committee of Safety.

A committee was chosen, to wait on the Committee of Safety, with a petition, setting forth the exposed condition of the seaboard, and praying that a thousand men or more be raised at once, for its defense; and also, that some field pieces, firearms, ammunition and other military stores be sent with all speed. If the Committee of Safety did not feel authorized to act upon this petition, then that body was desired to call together the General Court as soon as possible, for that purpose.

The committee thus chosen at this meeting appear to have acted very promptly, for in the Journal of the Committee of Safety for the Monday following—this meeting was on Saturday—is the following entry:

"Rec^d a petition preferred by the Select men & Committee of Hampton, Greenland, &c., &c., to raise a Regiment to be Stationed on the Sea Coast."

Two days later the Committee of Safety "agreed to raise 8 companies, to consist of 80 men each, officers included, for one month, to guard the Sea Coast of this State." They issued their orders to General Folsom accordingly.

At their meeting on the 12th, they "ordered Gen. Folsom to deliver the Selectmen of Hampton two barrels of Gunpowder, & to the Selectmen of North Hampton, one barrel, they to be account^{ble} therefor."

DEPRECIATION OF THE CURRENCY.

At the end of the first month of the year 1777, £100 of the continental money, paper currency, was equal to £100 silver. Soon after, it began to depreciate in value, and in six months it had depreciated 20 per cent. A little before that time, July 14, there was a town meeting in Hampton, at which it was voted "to choose a committee to affix

¹A nickname for the new meeting-house at Hampton Falls—where the Unitarian church now stands. The origin of the term is lost, but it still clung to that locality well into the present century, when Salisbury teamsters, hauling timber thence to Newburyport for ship-building, were accustomed to speak of their trips as "going to 'Hio" (Ohio), and made frequent mention of "'Hio meeting-house."

and settle the prices of all kinds of goods and articles enumerated in an act of the State," that had recently been passed. There had been for some time a gradual rise in the prices of many articles needed in every family, and it was a prevalent opinion that the persons selling those articles had raised their prices so that they might grow rich at the expense of others. It was thought that this course should be checked by law. Hence the origin of the act by virtue of which the town voted as is above stated.

The committee chosen to determine at what prices the articles enumerated should be sold, consisted of the following persons: Lieut. Josiah Dearborn, Mr. Josiah Moulton, Jun., Lieut. Cotton Ward, Lieut. Jonathan Garland, Benjamin Batchelder and Capt. Morris Hobbs.

The meeting was adjourned, to meet again in one week.

At the adjourned meeting, the following preamble and resolution were presented:

"Whereas it is represented that there are some persons in this town, who have behaved very disorderly, and that their conduct tends greatly to injure our endeavors to maintain the American Cause:—Therefore Resolved, That it is our earnest desire that such persons should be brought to their proper duty, or otherwise dealt with according to the laws or Resolves of the State or General Congress; and that we will aid and assist all officers, both civil and military, in carrying the same into execution."

This Resolution was adopted by the town, but no evidence is found, that any persons were molested in consequence of this act.

At a town meeting, January 19, 1778, Lieut. John Fogg, Lieut. Josiah Dearborn, Lieut. Cotton Ward and Col. Jonathan Moulton were chosen a committee to procure the men that were wanting of the town's quota, to fill up the continental army.

CONSTITUTIONAL CONVENTION AT CONCORD.

In the summer of 1778, a convention met in Concord, to form a new constitution for the state. The whole number of delegates was seventy-three, two of them from Hampton—Capt. Josiah Moulton and Col. Jonathan Moulton. A Bill of Rights and Plan of Government were drawn up and agreed upon and the convention closed its labors in June of the following year. The proposed constitution was submitted to the people in the course of the summer, and wholly rejected. In this town, however, only *two* votes were given against it, while there were *forty-three* for its adoption.

EFFORTS TO REGULATE PRICES.

One of the chief sources of embarrassment during the war, was the disordered state of the currency. Soon after the commencement of hostilities, Bills of Credit began to be issued, with no other fund than taxation for their redemption. For a while these bills passed very currently; but when counterfeits were found to be in circulation—to what amount none could tell—and when it became doubtful whether even the genuine bills would ever be redeemed, it is not strange that gold and silver were preferred to bills of credit, and that the latter were received with reluctance. Their value then began to depreciate. Attempts were made by individuals and by government, to check the depreciation. In New Hampshire, they were made a legal tender, even for debts previously incurred; and any creditor refusing to take them lost the whole debt. Dishonest persons took advantage of this law to swindle their creditors, offering paper money which was nearly worthless, in payment of debts contracted in good faith, to be paid in specie or its equivalent.

Instances of this kind were not wanting in Hampton. In one case, if tradition can be relied on, the depreciated paper was tendered at its nominal value, in payment of a note given for valuable real estate—the sum named in the note being the cash value of the estate. In another instance, a man who had hired money and given his note for the same at its just value, went, after the passage of this law, to the person to whom the note had been given, for the purpose of tendering depreciated paper in payment, taking with him another man as witness of the tender. But the holder of the note was too shrewd for him. Suspecting the purpose of his visitor, he did not wait for him to make known his business, but immediately said to him: “You know that the note which you gave me, was a *negotiable* one; you must, therefore, find the note before you tender payment for it.” The bills were not tendered.

As the value of the paper money depreciated, there was an increase in the price of labor, and of articles of merchandise. Another expedient to prevent a further depreciation was to fix the prices of various articles, and to make it a penal offense to take a higher price. Associations were also formed, the members engaging to sell goods and produce, and to perform labor at stipulated prices. Town meetings were holden and votes passed for the same purpose.

In the latter part of June, 1779, there was a meeting of the merchants and traders of Portsmouth, at which they agreed, for the space of one month to sell no articles, by wholesale or retail, at a higher

price than such articles were *then* selling at—the prices of some important articles being enumerated¹—and at the close of the month, and of each successive month, to *reduce* their prices, on condition that similar measures should be adopted in the other towns in the state, respecting merchandise and produce. They also resolved that they would not directly nor indirectly sell any kind of merchandise or any property whatever, for *hard money*, because the direct tendency of selling goods for hard money would be to destroy the credit of the *paper currency*.

The town of Portsmouth ratified the action of its merchants, and circulars containing their resolves were sent to all the towns in the state.

On the 9th of August a town meeting was holden in Hampton, at which it was voted—

“That we will adopt measures similar to those agreed to by the merchants in Philadelphia, Boston and Portsmouth, in regard to reducing the prices of the necessities of life, and for supporting the credit of our currency.”

But whatever the expedients resorted to, they all failed to provide a remedy. The state of the currency grew worse and worse. In August, 1779, £100 silver were equal in value to £1680 of the paper currency, and in September, to £1800.

August 16, 1779, the town voted that the selectmen should make up to John Lane one hundred dollars per month, including his wages, for enlisting into the service at Portsmouth. On the 25th of July, Lane had been drafted to serve as a soldier for two months, unless sooner discharged. His compensation was, *in appearance*, very large; but 100 dollars—£30—of the depreciated currency were of less value than £2, silver. A year later, Joshua James and Jonathan Marston, Jr., received twelve hundred ninety-five dollars, in the currency of the time, for services as constables.

About the middle of August, the town voted, “to join the other towns and parishes in the State to hold a convention at Concord on the 22nd of September for the purpose of carrying into effect the several interesting and important measures recommended by Congress to the inhabitants of the United States, in their late wise, seasonable and animating address.”² Capt. Josiah Moulton and Mr. Josiah

¹ Here is a specimen of prices: Molasses, £5 per gallon: Brown Sugar, 30 shillings per pound: Coffee, 25 shillings and Tea, £3.

² Among the towns invited was Andover, which, at the date of the convention, had been only two months incorporated, under its new name. It was originally New Breton, named in honor of the captors of Cape Breton, in 1755; most of the grantees having been in that expedition. Of the grantees, Dr. Anthony Emery, John Marston, Simon Marston, Joshua Towle, Daniel Marston, John Leavitt, Jonathan Leavitt and Nathaniel Batchelder were Hampton men.

Moulton were chosen delegates, and both or either of them empowered to act in behalf of the town, in accomplishing the objects for which the convention had been called.

The war was still in progress, but after the battles of Saratoga and Stillwater, and the surrender of General Burgoyne, military operations had been chiefly confined to the middle and southern states. In the latter, they were carried on with considerable activity till the surrender of Cornwallis, in October, 1781. This act virtually closed the war. But the return of peace did not bring to the country all the blessings that had been anticipated. Danger from a foreign foe had ceased, but this very danger, as long as the war continued, had been one of the strongest cords to bind the people together. That bond was now severed.

CONSTITUTIONAL CONVENTION AT EXETER.

The plan of government, adopted in New Hampshire in the early part of the Revolution, had served a good purpose, though it was far from being perfect, and several attempts had been made to alter it, or to establish a new system. The convention of 1778, having failed to form a plan acceptable to the people, delegates to another convention were chosen by the towns, three years afterward.

They met at Exeter in the early part of the summer of 1781, and continued more than two years. In September, 1781, having matured a plan of government, they sent it forth to the people, by whom it was rejected. The action of Hampton in the matter was set forth in an address of some length, signed "Christopher Toppan, Moderator, on behalf of the town," in which the following reasons are given for rejection: First, that so small a part of the state had a voice in it, there being but few of the towns that sent delegates; Second, that the existing war agitated people's minds and rendered them unfit to frame a suitable form of government; Third, that the disaffection of Cheshire and Grafton counties threw them out of the convention, and it would be better to wait till they should return to their allegiance.

After the rejection by the towns, the convention revised their work; but before they were ready to send it out again, the Treaty of Paris was concluded, and the existing form of government, adopted for the period of the war, expired by limitation. By vote of the towns it was continued for one year longer; and within that time the new plan of the convention was ratified, and became the constitution of the state, going into operation on the 2nd of June, 1784.

HAMPTON MEN IN THE WAR.

Such fragmentary information as can be obtained concerning the service rendered by Hampton men during the war, is here appended :

In Congress at Exeter, Aug. 24, 1775 :

"Voted—That Col^l Jonathan Moulton be colonel of the Third Regiment of Militia in this colony & Christopher Toppan Esq. his Lieut^t Colo^l & John Lane Esq. his first Major." Colonel Toppan declined.

In 1775, there were, belonging to Hampton, of

Males, under 16 years,	190
" from 16 to 50 yrs., not soldiers,	147
" over 50 years,	62
" in the army,	20
Females,	440
Negroes & slaves for life,	3
Total,	862

Firearms, fit for use, 192

Powder, priv., 94½; pub. stock, 50,—144½ lbs.

"After the battle of the 17th of June (1775), Col. Poor's regiment was ordered to the seat of war. Capt. Elkins' company — the last to leave — being on duty at Hampton was not ordered off until Aug. 1."

Soldiers who went to Portsmouth in October, 1775.

Lieut. John Dearborn, 2 days	Noah Lane, 2 days
Lieut. Cotton Ward, 2 "	Moses Brown, 2 "
Abner Page, 2 "	Jonath. Moulton, 2 "
Benj ⁿ . Page, 2 "	Jacob Palmer, 5 "
Rob ^t . Drake, 10 "	John Dow, 5 "
Jethro Blake, 2 "	Daniel Tilton, 5 "
Corpl. Joshua Towle, 10 days & 3 mos. at Peekskill.	

In 1775, "Joshua Wingate, of Stratham, was appointed Colonel of forces in the harbor" (Piscataqua), and "Jonathan Moulton, of Hampton, was appointed Colonel of the troops for guarding the sea-coast."

In Colonel Wingate's regiment were Hampton officers: Henry El-

kins, a captain; Thomas Leavitt and James Perkins, lieutenants; stationed at Pierce's Island.

March 23, 1776:

"Voted, to choose a committee to agree with Col^l Toppan for the Purchase of Seven Cannon belonging to him, now at our Batterys at Piscataqua Harbour, not to Exceed Twenty pounds for each cannon, and that Mr. Sherburne and Col^l Evans be the Committee for that purpose to make report to the Com^{tee} of Safety."

In Committee of Safety, April 11, 1776:

"Ordered the Receiver General to pay Christopher Toppan Esq^r one Hundred and Ninety Pounds for 8 six Pounders at £20 and for Two Ditto at £15."

A list of men that went to Ticonderoga in July, 1776:

Samuel Nay, Captain.

David Moulton.

John Moulton.

Samuel Lamprey, 5 mos.

John M. Moulton.

John Murphy.

Josiah Moulton, 3rd.

Samuel Marston.

Micajah Morrel, Jun^r.

Simon Philbrick.

Edmund Philbrick.

Jonathan Palmer.

Zaccheus Brown.

John Drake, Jun^r.

James Hobbs.

In an account of the payment to these soldiers, there are also the names of Paul Long, Caesar Small and Bradbury Green. Jonathan Palmer died at Ticonderoga in 1776, after serving 5 months; 18 years old.

Additional at Ticonderoga:

Capt. John Moulton, 5 mos. & 15 days at Portsmouth.

Paid Co^l. Toppan £3 12s.

" Daniel and Reuben Lamprey, £4 10s.

" John Shaw, £1 10s.

" Simon Sanborn £4 10s.

At Peekskill:

Sergt. John Drake, £1 16s. in 1776 "towards hiring to go to Peekskill the first time."

Abraham P. Tow e, £1 16s. ditto.

James Leavitt, 3 months.

Sept. 13, 1776. "Lieut. Col^l Abrah^m Drake of Col. Moulton's Reg^t is app^d to take the command of the Reg^t made up by detachments from Col^l Wentworth's, Col Moulton's & Col^l Bartlett's."

In Colonel Drake's regiment, Nathaniel Batchelder was adjutant and Thomas Leavitt, quartermaster.

Sept. 25, 1776, a regiment was organized of the companies at Portsmouth (then reënforced), and placed in command of Colonel Long. Hampton officers: Nathan Brown, captain; Benjamin Batchelder, ensign. This regiment was stationed at Newcastle; and in Nov., 1777, marched, under orders, to Ticonderoga.

In Sept. '76, two additional regiments were raised for the continental army in New York, in which Nathan Sanborn was a captain.

In Dec. '76, still another regiment for New York—Josiah Dearborn, a lieutenant.

May 28, 1776. The Committee of Safety "ordered Col^l Moulton to dismiss the Guard of four men placed at the Boars head."

Dec. 14, same year, "ordered the Receiver Gen^l to pay Col^l Jon^s Moulton £28 12s 8d. to discharge the Roll of a Guard kept on the Sea Coast."

The state paid the selectmen of Hampton £4 8s. 9d. in the year 1776, for the defense of the coast.

Benjamin Tuck, Jr., died in the army Oct. 20, 1776.

In a detachment of twenty-six men out of the 8d N. H. Regiment of militia, for service in New York, eight were from Hampton, as is shown by the muster and pay roll, signed by Col. Jonathan Moulton, muster-and-pay-master, and dated Dec. 18, 1776. Travel to New York is reckoned at 2£ 10s. for each man. One month's pay in advance, as follows:

Josiah Dearborn, Lieut.,	£5 8s.	Samuel Drake,	£3
Simon Sanborn, Sergt.,	£3 8s.	John Marston,	£3
Jonathan Leavitt, Sergt.,	£3 8s.	Thomas Woodman,	£3
Josiah Moulton, Fifer,	£3 4s.	John Sanborn,	£3

May 6, 1777. "Appointed Nathaniel Leavitt of Hampton, Ensign in Cap^t. Weare's company." [Committee of Safety.]

June, 1777.—Simon Marston was a captain, and Jonathan Leavitt, an ensign in Col. Senter's battalion, for the defense of Rhode Island.

In the summer of '78, Captain Marston and Lieutenant Leavitt were in Colonel Peabody's regiment in Rhode Island.

Served in Capt. Moses Leavitt's company from Sept. 8 to Dec. 16, 1777:

Jeremiah Batchelder, 2 nd Lieut.	John Taylor.
Daniel Philbrick.	Jonathan Towle.

Hampton men who went as volunteers to Saratoga with Col^l. Moulton, October, 1777 :

Adju. Josiah Moulton, Jr.	Jabez Towle.
Capt. John Dearborn.	Benj ^a . Page.
Lieut. John Taylor.	Samuel Drake.
Clerk, Josiah Lane.	Jacob Palmer.
Serg ^t . John Sandborn.	Jacob Moulton.
Serg ^t . Moses Elkins.	Noah Lane.
Corp ^l . Abner Page.	John M. Moulton.
Corp ^l . Joshua Towle.	Jabez James.
Corp ^l . Nathan Brown.	Joseph Nay.
Jonathan Philbrick.	Josiah Mason.
Batchelder Brown.	James Lane.
Abner Sanborn.	Jonathan Godfree.
Jona. Marston.	Jethro Blake, $\frac{3}{4}$ time.
Samuel Marston.	Jere ^b . Ballard, $\frac{1}{4}$ do.

Jan. 22, 1778. "Ordered the Receiver General to pay the Roll of Col. Jon^a Moulton, for a guard at the beach, amounting to £58.

Also, to pay the Roll of s^d Moulton for his company of Volunteers that march'd to Saratoga to Reinforce Gen^l Gates last fall, amounting to £533 15s. 8d."

Aug. 6, 1778. Each of the following named men acknowledged the receipt of £10 lawful money from the town of Hampton, and engaged to go to Providence, under command of General Sullivan :

Jon ^a . Garland, Ens.	Jabez James.
John Garland.	Josiah Towle.
Thomas Moore.	John Drake.
Josiah Dearborn.	Samuel Marston.
Joseph Freese.	John Batchelder.
John Marston.	James Hobbs.
Jon ^a . Marston, 8d.	Eliphalet Towle.
James Sanborn.	Jeremiah Tuck.
Simon Ward.	Amos Garland.

May 29, 1779.—£180 to the selectmen of Hampton for 18 volunteers in the Rhode Island Expedition in 1778.

July 17, 1779.—To Lieut. Jon^a. Leavitt, £83 6s. for one month's advance pay for the R. Island service.

"State of
New Hampshire }

North Hampton,
July 25th, 1779.

Sir; I have receiv^d Orders from the Honour^d Committee of Safety to Raise six Able Bodied effective Men in this Regiment for the Defence of the Forts at Portsmouth. You are there-

fore without loss of time to raise or draught one Able Bodied Man out of Your Company for said service for Two Months (unless sooner discharged) from his joyning the Company now there under the command of Co^{lo} Dame and you are to make return and send the Man to Collon^l Moulton (if he is at Home, if not, to me), to be muster^d. These Soldiers are to have thirteen Pound Ten shillings p^r Month and two shillings p^r Mile Travel from there Homes to Portsmouth to be made up in the Role.

N. B. He need not cary his arms or accoutrements as there is sufficient in the Forts.

Abraham Drake, Lieu^t Collon^l

To Capt. John Dearborn, Hampton."

[A copy from the original.]

John Lane was drafted.

March 27, 1780, the town voted "To give the back rates of all those young men that went to sea and were taken with Capt. Moses Brown."

April 18, 1780. "Ordered the Naval Officer of the Port of Piscataqua to permit Ezra Johnson to Export for New Meadows [Topsfield] in the State of the Massachusetts Bay forty Bushels of Indian Corn &c. &c."

July 18, 1780. The selectmen paid an order of £270 lawful money to Samuel Drake, Jun. drawn on them by

in part payment
of their bounty to serve
three months in the army
for Hampton.

Samuel Marston
John Marston
Zaccheus Brown
Batchelder Brown
Simon Ward
Joseph Freese Dearborn
John Dearborn and
Amos Brown.

At Cambridge :

Capt. John Moulton, 2 months.

Josiah Mason, — 4½ months.

Nathan Smith Moulton, 4½ "

Theodore Brown, — 1½ " and 18 das., at Portsmouth.

David Moulton, 4½ "

Jeremiah Tuck, 8 months in 1775 and 4 months at the island in 1776.

James Hobbs, 4½ "

James Tuck, 7 " " " " " " " " " "

Simon Philbrick, 4½ "

Jabez Towle, 7 months in 1775.

Zaccheus Brown, 4½ "

Jonathan Marston 7 " " "

Simon Moulton, 4½ "

Capt. Henry Elkins, 7 months' service at Cambridge.

The town charged the state with 13,008 pounds of beef, delivered to Captain Giddings in 1780, between July 19 and November 3.

Jan. 11, 1781—A resolve to raise 1354 able-bodied men to serve in the army during the war or for three years, including those already in said service from this state—Hampton, 16.

July 4, 1781—650 men besides officers &c.—to be held in readiness to march in a week after they shall be called for by the commander-in-chief, for the defense of the United States. Out of Colonel Moulton's 3d regiment, 35 men.

Proportion for £1000 —Hampton, £10 9s. 2d.—Apr. 17, 1784.

A considerable number of soldiers' receipts, on the town records, give the names and wages of Hampton men, or men serving for Hampton. Some of them show the depreciation of the currency. At different dates, from 1778 to 1783, receipts are given, as follows:

By Amos Brown — £46 4s. for 7 months' service.

" John Taylor, 8d " " " 6 " "

" John Alman — " " " 7 " "

" Daniel Taylor of Exeter, \$8500, for 6 months' service.

" James Kelley of Kingston, 40 silver dollars and 3500 paper dollars for 6 months' service.

" Dole Pearson of Kingston, " " " " 1615 " " for 6 mos. service.

" Jeremiah Rollings — £2400 — for 6 months' service.

" John Jack—June, 1780, \$605. in part; July, 1780, \$600. in part, for 6 mos. service.

" Jonathan Eaton, of Exeter—18s. 8d. on account of being a soldier for Hampton.

" John Russell, of Exeter—£16 7s. 6d. in money & Clothing and a note of hand for £28 12s. 6d. in full for three years.

" Samuel Batcheler } £18 each for 6 months, in defense of Rhode
" Tristram Godfrey } Island.
" William Moulton }

" John Lane, May 4, 1779, \$80. in part for service in Rhode Island at £30 per month:

" John Lane, Dec. 6, 1779, £9 in full for 2 mos. at Portsmouth.

"Hampton, March 20th, 1781.

"Then Rec^d of the Select men of Hampton, two Hundred and Seventy Pounds Lawful money in full for a Suit of Cloths said town promised my son Jeremiah Tuck for twelve Months Service in the year 1777. Rec^d by me

John Tuck."

Hampton, May 11, 1782.

Rec'd £6 11s. 4d.—also note for £7 10s.—"being in full Satisfaction for money the Parish of Seabrook paid Jonathan Eaton as a Continental Soldier, who is now Deemed a Soldier for the Town of Hampton by the Committee of Safety During the war.

Elisha Brown
Winthrop Gove."

There being some dispute to what towns certain soldiers belonged, it was decided that the following belonged to Hampton, viz.: W^m Moulton, James Allard, Jon^a Eaton.

Names of soldiers hired by Hampton :

Benj ^a Dockam,	Jos. French, 6 mo.
James Allard,	Sam ^l . George, 3 "
Jon ^a Eaton,	Moses Morril, 3 "
W ^m Moulton,	John Page, 3 "
Chas. Branscomb, April 13, 1781.	John Russell, 1782.
John Mann, 6mo.	Nath ^l . Smart, July 19, 1782.

By Elisha Towle—£15 in part for wages and bounty at £30 per month.

" Simon Towle— " " " " " " " " " " "

" Thomas More— " " " " " " " " " " "

" Isaac Godfrey " " " " " " " " " " "

" Levi Francis—70 silver dollars and note for 60 silver dollars.

" Elisha Towle,—£8, in full for service as soldier in Portsmouth.

" Simon Towle " " " " " " " " " "

" Charles Branscomb—250 silver dollars in full for 3 yrs. service.

" Caleb Kimball—50 silver dollars.

" Amos Garland

" Thomas Churchill

" Zadock Sanborn

" William Batchelder

" Josiah Dearborn, Jun.

" Simon Dow, Jun.

" Isaac Godfrey

} joint receipt of note to each for twenty-five bushels Indian Corn per month, "which when paid is in full for 3 months' service in the army."

July 16, 1781.

"In Committee for
settling depreciation. }

Exeter, April 8, 1783.

By the Books it appears that Hampton hired in May, 1777 Seven Soldiers to serve in the New Hampshire Line, Continental Army and gave them Twenty six Pounds each.—And four Men to serve eight months and gave them Eighteen Pounds each.—And Two Men in June, 1777, to serve eight Months, and paid them Twenty four Pounds each.—And in March, 1778, Three men for Two years, viz. : paid Isaac Mitchel one Hundred & Twenty Pounds—; paid Eleazer Ferginson Ninety Pounds— in Nov^r 1779 Forty Pounds, and five pounds three shillings & sixpence in Sundries at the regulated prices—paid Joseph Burley in Mar. 1778 Ninety Pounds.

The Hon^{ble} Court have not allowed any depreciation to the above Soldiers, and the Town has no credit for the above Sums.

Attest Josiah Gilman Jun. (one of the Com^{ees})

N. B.

1777, April, Hampton hired James Allard for 8 years and gave him Thirty Pounds.

1778, May, John Spring for Three Years and paid him Thirty Pounds."

(From the Original, in Town Clerk's office.)

At the adjourned annual town meeting, March 21, 1791, "Voted : to allow Lieut. Nathaniel Leavitt thirty-one pounds in full, on account of a bounty he paid Asa Crosson as a Soldier for s^d town, but afterward was taken away by claime of Richmond."

CENSUS OF HAMPTON, OCT., 24, 1783. BY THE SELECTMEN :

Inhabitants, 866,	Houses, 137.
Blacks, 5,	Barns and other Buildings, 146.
	Acres of Land, 6857.

CHAPTER XV.

IN THE EARLY YEARS OF INDEPENDENCE. 1784-1814.

CLAMOR FOR PAPER MONEY.

THE new Constitution was now safely launched, but troubles consequent upon the war were not over. The country and the several states were deeply in debt, and the people were called upon, both by Congress and by the state governments for means of liquidating these debts. Being heavily burdened, some of them conferred together that they might find means of redress. Various schemes were proposed for lightening their burdens; some of them wild and agrarian, proposing the canceling of debts, and an equal distribution of property among the people; others more rational, seeking only to ease the burdens which they could not wholly remove. A favorite plan with many was, that the government should order a new emission of paper money, funded on real estate, and loaned on interest. Petitions for this object were sent to the General Court. Competent persons, after a careful examination of the subject, were confident that no relief could be gained by such a course; but many people clamored for its adoption. The state endeavored to apply a remedy, by issuing certificates to be received for taxes at par, in lieu of silver and gold; but nothing short of unlimited paper money would satisfy the malcontents. The insurrection in Massachusetts encouraged like proceedings in New Hampshire.

In September, 1786, a mob, consisting of about two hundred men, principally from the towns in the western part of Rockingham county, marched into Exeter, armed with muskets, swords and clubs, and endeavored to overawe the Legislature then in session there, so as to procure the enactment of laws in accordance with their views and wishes. That body, though held prisoners by the mob, that stationed sentinels with fixed bayonets at each of the doors of the meeting-house, in which they were convened, far from being intimidated, refused to legislate, under such circumstances, on the subjects which the insurgents desired, and proceeded, calmly and coolly to transact other business. In the dark evening which followed, a drum was heard at

some distance from the meeting-house, and a shout—"Hurra for government!"—strong and hearty, as from many voices. The mob, alarmed, beat a hasty retreat. The Legislature, being thus released from durance, desired President Sullivan to issue a proclamation, calling for the power of the state to suppress the insurrection.

Orders were issued at eleven in the evening; and by sunrise the next morning, strains of martial music heralded the incoming of the militia. All the generals in the state, except one, who lived remote from Exeter, were assembled early in the morning,¹ and a formidable force was soon collected to march against the insurgents, who were now drawn up in order, about a mile from the meeting-house. The opposing forces met, expecting battle, when suddenly Major-General Cilley charged on the insurgents,² seized the leader and bore him back to the lines, a prisoner. His party of horsemen, following his example, captured each a man in like manner. The rest fled. The rebellion was quelled without bloodshed. Through the clemency of the government, all the prisoners taken, about forty in number, including the principal officers of the mob, were pardoned, except the ring-leaders, who were tried and punished, as rioters.

The people generally were now more enthusiastic than before for the support of government. Two thousand men under arms had stamped out rebellion in New Hampshire. Three thousand unarmed citizens had witnessed and applauded the deed. The loyalty of the state was demonstrated; the dignity of the government, sustained.

It is safe to assume that the streets of Hampton were deserted that day. Col. Christopher Toppan, our representative in the beleaguered Legislature, was no laggard. Strong, resolute, accustomed to meet emergencies promptly, it is reasonably certain that he lost no time after the order was given; but, vaulting into his saddle, sped home through the darkness and aroused the soldiers with the too familiar signal, *to arms!* It was in the midst of the marsh haying, and the farmers had retired for a few hours' sleep, awaiting the night tide, to float them down to their work. Lights still glimmered here and there, as careful housewives spread the midnight lunch and packed the freshly-cooked food for to-morrow's fare on the marsh.

Hark! the alarm breaks upon the still night air. Instantly all is tremor and excitement. Men hastily don their uniforms scarcely yet tarnished from disuse; while women substitute the best of to-morrow's store for the cold lunch on the tables. No boats float down the river. At dawn, soldiers and civilians alike are ten miles away from Hampton marshes.

¹ N. H. Hist. Soc. Coll. III: 120.

² Adj. Gen.'s Report, 1806, II: 373.

Anxious wives and mothers listen in painful suspense through the long hours of the day, for the booming of cannon which may write them widowed, childless. The unexpected silence becomes ominous, as neither sound nor smoke reveals the happenings at Exeter. Imagine, then, the revulsion of feeling, when another evening brings back the men, with cheers and peals of laughter, as they recount the ludicrous scenes.

GENERAL MOULTON.

Gen. Jonathan Moulton was an active participant in that bloodless fight. Foregoing the comforts of his easy competence, he had spent many long years of Indian warfare and the Revolution in the defense of his country; and now, his native New Hampshire on the threshold of a new and glorious career, could he stand tamely by and see her very life threatened by a contemptible mob of two hundred?

We have met General Moulton often in these pages; but here let us pause and take our leave of him, for we shall meet him no more. Though he knows it not, the first anniversary of this time shall be his burial day. We have seen him a prominent business man at home, energetic and public-spirited. We have seen him honored year after year to represent his townsmen in the Legislature. We have seen him the intrepid commander, in responsible positions, amid the perils of war. We have never seen him false to his trust or incompetent in its execution. A certain reticence and lofty bearing in the mast ship affair¹ once aroused the displeasure of fellow-citizens; and perhaps the same qualities, with his general characteristics as a man in advance of his age, and shrewd in business may have held the envy and dislike of many through life. It is said that news of his death was carried to the hay-makers, on the marsh; and the cry: "General Moulton is dead!" was passed along from mouth to mouth for miles in no regretful tones. And yet one cannot believe he would have been so honored and trusted through a most critical period of our history, had he been unworthy. Let us rescue his memory from the opprobrium with which tradition has invested it.

General Moulton was rich in lands. In a descriptive circular, dated "Hampton, in the State of New Hampshire, one of the United States of America, Jan. 24, 1785," he announced "his advertisement of lands published in *Ireland*, of this date," said lands "consisting of about 80000 Acres, half of which are now offered for sale;" and set forth inducements for purchase and settlement. Eight towns, he said, contained the principal part of his land—Moultonborough, New

¹ p. 211.

Hampton (the "small gore," adjoining his township of Moultonborough, which he had modestly asked of Governor Wentworth, after presenting him a fat ox), Tamworth, Eaton, Burton, Chatham, Orford and Piermont. Especially was he desirous of forming a new town, Center Harbor, from parts of the two first mentioned. "Should any gentleman or Company be induced from the foregoing proposals to embark for America," everything needed would be supplied on reasonable terms.

The circular is ancient in typographic appearance, but very modern in brag.

TOWN RECORDS AT SALEM.

February 4, 1788.—Under this date is a singular entry in the town records, not to be explained by any known act of the town previously: "Christopher Toppan Esq. is appointed in behalf of this town to apply for & receive [the Records] from the town Clerk of Salem or any other persons who may have the ancient Records belonging to this town in keeping in order that they may be Deposited with the Clerk of this town." A hundred years earlier, the records were carried away for a time, for safe keeping; but why they were now out of the state, is not evident.

At the same meeting, Christopher Toppan was also chosen delegate "to sit in convention to be holden at Exeter the second Wednesday of February instant."

THE FEDERAL CONSTITUTION.

This was the convention of delegates from the various towns, called to consider and act upon the adoption of the Federal Constitution, which had already been ratified by eight states, and required the concurrence of one more. The decision of New Hampshire was therefore awaited with much solicitude.

After a ten days' session in Exeter, the convention adjourned to meet at Concord in June. Debate was then continued till the 21st, when the decisive vote was taken. The painful silence of intense anxiety prevailed during the count; but the vote had passed—the Constitution was safe.

RETROSPECT.

Here, then, we find the new life of the nation fairly inaugurated; and on this hill-top we rest for a moment, to glance backward over the changes since the Winnacumnet wilderness first resounded with the axe of the pioneer, just a hundred fifty years ago. Strangely enough,

though the face of the country is altered beyond recognition, the faces of men and women on every hand are familiar; for the lineaments of Batchelder, Moulton, Page and the rest of 1638 are strongly marked in many of the ancestral homes in 1788. The dusky forms that once glided stealthily through the forests are seen no more. Practically, they ceased to be a factor after the treaty of Paris, in 1763. Civilization has crowded them out.

The forests themselves have crept backward, step by step, at the point of the all-conquering plow. Populous villages and productive farms cover the ancient territory. Hampton-built vessels ply the seas; mill wheels whirr; stability is written everywhere.

Hampton has long since ceased to exert the influence formerly wielded. From her proud position as one-fourth of the province, she has become only one of 167 towns¹; but on the other hand, out of her territory have sprung six flourishing towns and parts of three more. The balance may, after all, be in her favor. By the state census ordered in 1786, returns from 138 towns gave a population of 95,801. Kingston was one of those that failed to report. Reckoning her population the same as in 1775, and making no deduction for the district south of the Shapley line, we find the growth of old Hampton in the following figures:

Population of Hampton,	. . .	864	
" " Kingston, (census of 1775),		961	
" " East Kingston,	. .	420	
" " Hawke (Danville),	. .	301	
" " Sandown,			521
" " Hampton Falls,	. .	569	
" " Kensington,	. . .	798	
" " Seabrook,	. . .		668
" " North Hampton,	. .	659	
" " Rye,	. . . .		653
		<hr/>	<hr/>
Totals,	. . .	4572	1842

How large a number to add to the four and a half thousand out of Sandown, Seabrook and Rye, it is impossible to tell; probably but few from the first; the most thickly settled part of Seabrook; and no inconsiderable population along the beach and on the fertile soil of Rye.

The "silent city," laid out in "the Ring," about 1653, has also become populous, and a new enclosure will soon be needed; while many,

¹McClintock's New Hampshire.

who used to walk these streets and bear their part in the affairs of town and province, lie in unmarked graves on battle fields, or beneath the ocean waves.

The province has become the state. The seat of government, first at Portsmouth, on several occasions in Hampton, latterly at Exeter, is now permanently removed to Concord; and, though financial distress is still apparent, the towns have repudiated the paper currency scheme, and, by an honest policy, laid the foundation for future prosperity.

To crown all, the British flag no longer waves over the land; the colonies have burst their fetters, and have become a nation.

WASHINGTON'S TOUR OF NEW ENGLAND.

From the Revolution on, to the close of the century, the town records are singularly devoid of information concerning the progress of affairs other than ecclesiastical, the annual election of town officers, the care of the public lands, an occasional lawsuit, proprietary meetings and such war measures and public acts as have been already noted. We find enough, however, to be assured that the people of Hampton were keeping pace with the times, while taking sedulous care of all local and private interests.

The most notable public event of 1789 was Washington's tour of New England, in October. Minute accounts are given of his entry into Portsmouth and his four days' stay there, coming by way of Salisbury and Hampton. We know something of his later progress through North Hampton to Exeter; but to the imagination, mainly, it is left to depict his reception here. Loyal and enthusiastic it surely was, though we are only told with certainty, that the people gathered at Toppan's corner to see him pass, and that he bowed pleasantly to right and left. And so the brilliant cavalcade was a vision and a memory, and the loved face of Washington, a benediction.

Once before, he came into the neighborhood, riding on horseback from Cambridge to Hampton Falls sometime during the war, on a personal visit to President Weare. The Weare mansion still stands, unaltered except by time, and the room in which Washington slept is pointed out. It is now owned by the heirs of Zebulun Dow.

CONTINENTAL SECURITIES.

At the adjourned annual town meeting, March 31, 1790, it was voted "that the Committee who were chosen to Dispose of Land belonging to this Town & purchase Continental Securities for the town, be & hereby are fully authorized and Impowered if Congress should fund the Continental Debt, to take out New Securities in Lieu of those

now in their hands, or that they may hereafter purchase, and to transact every other matter relating thereto in such manner as they may think will be most for the interest of the town." Congress did fund the continental debt, and the above vote was carried into effect.

CONSTITUTIONAL CONVENTION OF 1791.

In 1791, seven years after the adoption of the state constitution, a convention was called to meet at Concord on the first Wednesday in September, for the purpose of revising it. Col. Christopher Toppan was the delegate from Hampton, one of many able men who composed the convention. In due time, their work was submitted to the people, and the convention then adjourned, to meet again in May, 1792. On the 7th of May, a town meeting was held in Hampton, and a committee of fifteen chosen, to examine the constitution, with the proposed amendments, and report at an adjournment, whether, in their opinion, they ought to be adopted. The committee reported on the 21st of the same month, and the town voted strongly against the amendments.

On the reassembling of the convention, a committee was appointed, to examine the returns, ascertain what amendments had been adopted, and embody them in the constitution, which was again sent out to the people. In this town, it was "put to vote, to see if the town will receive the Constitution with the amendments." Only twenty-five votes were cast, but they were all in the negative. The amended constitution, however, was ratified by a majority of the people, and declared, September 5, 1792.

DR. HALL JACKSON.

On the 28th of September, 1797, occurred in Portsmouth the sudden death of an eminent son of Hampton, Dr. Hall Jackson. His father, Dr. Clement Jackson, a native of that part of Portsmouth, now Greenland, came to Hampton, and settled on the original John Sanborn estate, now known as the Alvin Kinery place. He married, in 1781, Sarah, daughter of Thomas Leavitt, and resided here many years, but eventually removed to Portsmouth. Of his seven children born in Hampton, Hall, the eldest son, was the third. The seventh was born in 1747, so that Hall, though probably young, could not have been less than eight years old at the time of their removal, as he was born November 11, 1739. He studied medicine with his father, and afterward went to London, to attend lectures in the hospitals there and perfect himself in surgery. On his return to Portsmouth, he soon acquired a large practice and became famous, both as phy-

sician and surgeon. He was especially skillful in the treatment of small-pox and the malignant throat distemper, which, in those early days of their ravages, had baffled ordinary skill. No important surgical operation was performed in this region without consulting Dr. Jackson. Harvard College conferred upon him the degree of M.D., and the Massachusetts Medical Society made him an honorary member. At the time of his death, he was Grand Master of the order of Free Masons in New Hampshire.

For some cause, on which our records are silent, Dr. Jackson, in 1771, brought a suit against the town of Hampton. February 8, 1772, Capt. Josiah Moulton and Capt. Jeremiah Marston were chosen agents, to defend the town in the case. Soon after, however, the agents were authorized to settle with the Doctor, on such terms as they might think proper.

During the Revolutionary war, Dr. Jackson was not only a true patriot as army surgeon, but a facile workman in various departments. The Congress at Exeter desired him to procure some suitable person to mount some field pieces on his return to Portsmouth. Failing to find any one, he employed himself, from sunrise to sunset every day for some time in mounting brass field pieces. Again, he devoted himself to laying out fortifications at Kittery and New Castle, in making cartridges, cannisters and Port fires for the field pieces, and in attending to the "innumerable complaints of the soldiers in regard to their health." He raised a company of artillery and exercised them in the use of brass field ordnance; and he wrote Colonel Lee: "Could it be thought advisable for us to leave the seaports, I should long before this have been with you at the head of a company as good as ever twanged a bow, inferior in military discipline to none. . . . You well know that the art military has been my hobby-horse for a long time past."

After the war, Dr. Jackson devoted himself to his profession. His death was caused by the upsetting of his carriage, while making professional visits. Several ribs were fractured; fever resulted; and thus terminated a brilliant career.

The beginning of the nineteenth century saw the country plunged in grief for the recent loss of its Father. There was not a corner so obscure that the shadow did not darken and sadden it; and if no record remains of any public demonstration in this town, we are none the less sure that the loyal hearts of our people mourned their personal loss, the universal loss. Thenceforth, the name of Washington was set among the stars.

The same month that Washington died, the home of Samuel Palmer was gladdened by the birth of his son, Jonathan. The next spring the happy event was celebrated by the planting of a willow tree, which grew, and to-day stretches wide branches over the home where Jonathan Palmer's great grandchildren are being reared.

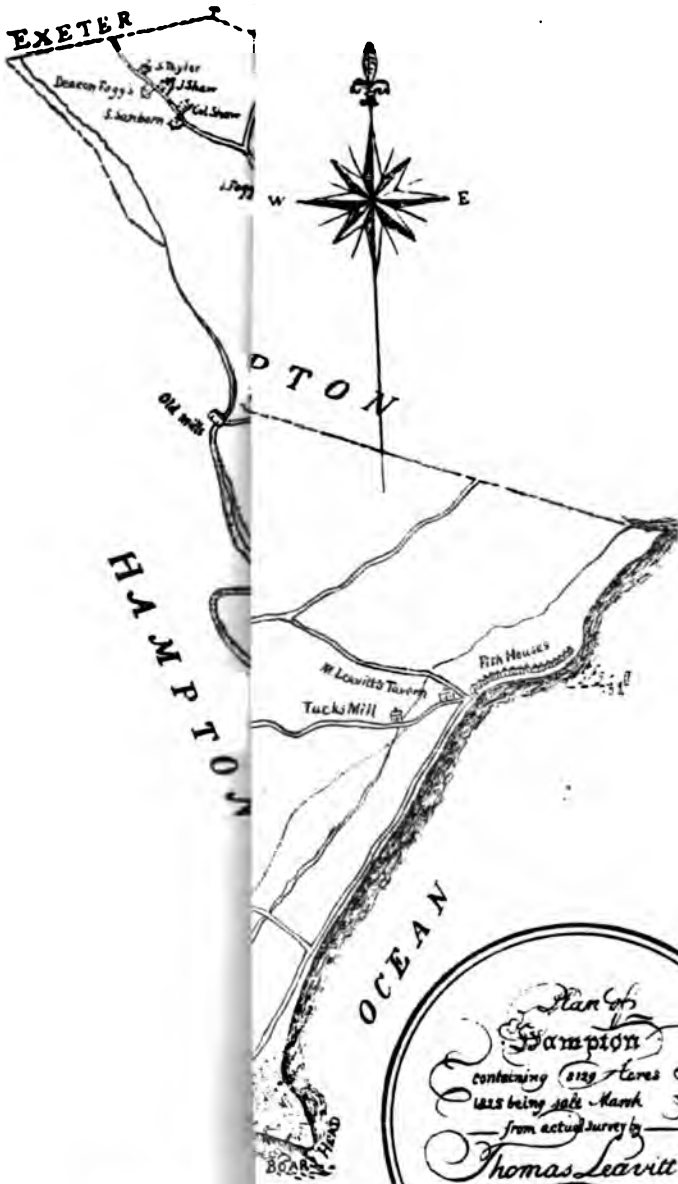
The winter of 1801-2, till near its close, was unusually mild ; but in the latter part of February, 1802, there occurred one of the most remarkable and long-continued snow storms, known for twenty years. Into the midst of the ecclesiastical strife, then disturbing the peace of our town,¹ was thrown this war of the elements, like a frown upon the face of Nature.

FINANCIAL AFFAIRS.

The town accounts seem to have gotten into a tangle ; for, at the annual town meeting in 1803, five auditors were chosen to examine the selectmen's accounts for "four years back," while the selectmen were chosen to examine the town treasurer's "back accounts." The next year it was voted, "to make an addition to the old committee for examining selectmen's accounts;" and Joseph Towle, Josiah Shaw, John Dearborn and John Dow were chosen. It was also voted, "to raise no sum of money until the selectmen's accounts are settled for the last year."

The invested funds of the town were discussed at both these meetings, and subsequently. In 1803, voted, "That Major Benjamin Shaw be impowered to receive of Mr. Gardner, Commissioner of Loans for the state of New Hampshire, the dividend of interest and principal of the stock standing in the name of the town of Hampton, on the book of the said Commissioner, that is now due, or that may become due hereafter, until this order be revoked." In 1804, voted, "That all the two per cents, which are already received, and the interest due thereon, which belong equally between the town and the Congregational Society, be let out by the selectmen, and that two bondsmen be required for all money loaned, and that interest be paid yearly." Voted, "To choose a committee, to see if the town will adopt any method with regard to the two per cents which have been received at the Loan Office by the town of Hampton, and interest due thereon, that may make it more productive than the present mode of loaning the money." Major Shaw, Elisha S. Moulton and James Moulton were chosen. Their report, which is not on record, was rejected, the vote being so close that a poll was demanded, when there were found to be forty-two

¹Chap. XXIV.



nays to forty-one yeas. In 1816, voted, "That the treasurer be authorized to receive the treasury notes that may be offered him at the Loan Office, that are now due, or to become due the present year." And again, in 1817, the treasurer was instructed "to receive the dividend of interest and principal, due from the Loan Office, and the interest due from the Exeter bank the present year."

THE CEMETERIES.

A new burying-ground was laid out in 1797, westerly of the present homestead of Nathaniel Johnson. The first interment was that of Joshua Towle, who died September 18th of that year. In 1802, the selectmen were instructed to have the ground "fenced with a stone wall to be done within eighteen months, with one good gate." It is difficult to understand the meaning of a vote, passed seven years later; "that Abner Page have the use of the old burying-yard so long as he will keep the fences and gate in repair," and "that John Batchelder have the new burying-yard"—unless it is to be explained by another vote, after the lapse of a dozen more years, "that the use of the old burying-ground be put up to the highest bidder, with this restriction, that no creature except sheep and calves shall go therein." John Towle, the highest bidder, at one dollar and fifty cents. If we seek for justification of a course so repugnant to our sense of fitness, as turning the hallowed ground into a pasture, let us find it in the close-cropped grass and absence of weeds, that might have made the deserted enclosure that dreariest of all places, a neglected cemetery.

CARRIGAIN'S MAP.

By an act of the General Court, of December 30, 1803, surveys and plans of all New Hampshire towns were required to be sent to the Secretary's office, in order that they might be used in making a map of the state. It was in obedience to this decree that Thomas Leavitt, Esq., of Hampton Falls, made a survey and plan of Hampton in 1806, a copy of which is given in this work. The state map, made by Philip Carrigain, and called by his name, was published in 1816, and a copy sent to each town.

PAUPERS.

"The poor ye have always with you." Scattered through the town records year after year, continually, we find provisions for their support.

Near the close of the year 1806, there was some discussion as to the method of supporting those who needed assistance from the town.

As some of the citizens were in favor of providing a house, where all needing aid might be taken care of, it was thought advisable to have the matter discussed in open town meeting. A meeting was accordingly held on the 19th of January, 1807, "to see if the town will be of the mind to build a work-house" for the above purpose, and if so, "then to determine what method the town will take to build it." It was voted, to build a work-house, forty by thirty-two feet, one story high, and to cut the timber for said house on the parsonage land in the town—the timber to be cut under the direction of Jeremiah Hobbs, Samuel Brown, Jr. and Jonathan Philbrick. It was also voted, that the boards purchased for the building be sawed under the direction of Edmund James. At an adjourned meeting, on the 9th of February, a building committee was chosen, consisting of the three men chosen to cut the timber, together with Josiah Shaw, Jonathan Marston, Jr., Moses Perkins and Josiah Dow. They were directed to select a site for the house and to build it at the cheapest rate practicable. The meeting was then adjourned to the 10th day of March, at 12 o'clock. This was the annual town-meeting day. "Met according to adjournment and voted, to dissolve the meeting." And so, after all this preparation, the plan fell through.

It was then voted, "not to choose overseers of the poor for the present year, but that the poor be let out, as usual." This method of caring for them, designated on the records and in common speech by the heartless-seeming phrase, *putting them up at auction*, was pursued for many years, and indeed, with some exceptions, until by act of the General Court, the county assumed the support of all paupers, and removed all but a few aged and infirm to a county farm, at Brentwood, purchased in 1868. By this method, the care of the poor was given to those who would receive them into their homes for the smallest weekly payment. It was, in fact, an auction, generally at the annual town meeting, but sometimes, at the discretion of the selectmen; but it was heartless only in name. People rendered dependent by reason of age, disease or misfortune, were more comfortably housed and kindly cared for in private families than they could have been in any other way. Sympathy for the unfortunate characterizes this people in a high degree; and some of these poor being once received, were kept for years, and even through life, and then tenderly laid to rest. A few, not wholly dependent, had little homes of their own, with such assistance from the town as their needs required.

In 1809, John Dow, James Leavitt and Jonathan Marston, Jr., were chosen a committee, to take the whole matter of the condition and support of the poor into consideration. They reported at some length.

on individual cases, one of which is as follows: "As it respects Mrs. Burdoo, considering her advanced age and her exposedness to take cold, if she continue in her house, and the expense of hauling her wood, we think it best to put her in a family, where she can be taken proper care of till spring. Mr. Josiah Dearborn has offered to take her at four shillings per week. She has been at Mr. Dearborn's house about a fortnight."

This Mrs. Burdoo was Dinah, widow of Philip Burdoo, among the last of the old-time negroes in this town. Dinah Small, perhaps widow or sister of Cæsar, who died from exposure in the army, in 1777, was married, on the 9th of January, 1783, to Philip Burdoo, of Moultonborough. It has been asserted that they were slaves of Gen. Jonathan Moulton, which may have been true of Philip, who came from one of the townships granted to the General; but Dinah, certainly, was a slave of William Godfrey, of North Hampton, whose granddaughter, Mrs. Fanny Lane, now above ninety years of age, knows of her service there. Philip was afterwards employed at Dearborn's tavern. He died January 6, 1806. Dinah had a little house a few rods east of the centre school-house, where she spun and knit and lived contentedly. When she became enfeebled by age, she was cared for by the town, and died at Dea. John Lamprey's, January 11, 1825, aged ninety-two years.

SOME NEGRO AND INDIAN SLAVES.

August 11, 1716, Captain Moody, in a conference with twenty-two Indians, informed them of an Indian girl, in captivity in Hampton, who was taken to "Piscataqua," to be delivered to her kinsmen; but no one coming for her in the space of a month, "she was returned back to her master again."

Shirk, the negro of Stephen Hussey, found dead— inquest March 17, 1672.

"Jack, an Indian man," sold to Edward Shaw, by Dr. Edmund Toppan, September 30, 1731.

A "Negro woman of Mrs. Freese's" died, January 15, 1736, aged 30 years.

A "Negro girl, her daughter," died January 16, 1736, aged 6 years.

"Cæsar, y^e Negro of Widow Godfrey," baptized March 7, 1736.

"Prince, a Negro boy of Mr. Griffith's," died February 4, 1738, aged 10 years.

"Simon, y^e Negro boy of Dr. Jackson," baptized April 23, 1738.

A negro boy of Mrs. Toppan died March 11, 1740, aged 2 years.
—"fitts."

"Flora, a Negro girl of Widow Toppan's," baptized June 7, 1741.

"Jenny, a Negro girl of Ward & Joanna Cotton's," baptized June 7, 1741. Jenny died April 5, 1751, aged 40 years.

"Jock, y^e Negro Servant of Doctor Sargent," baptized June 14, 1741.

"Fortunatus, a Negro lad of Abner Fogg's," baptized October 11, 1741.

"Flora, a Negro girl of Dr. Emery," died March 27, 1756.

"Cæsar, a Negro man of Capt. Jeremiah Marston," died of old age, April 10, 1766.

Cæsar Small, a mulatto, died April 21, 1777, aged 50 or 60—"camp disorder."

Neb Miller, a negro slave of Col. Christopher Toppan.

Ben Thompson, slave of Capt. Jonathan Marston. It is said that Capt. Marston's father (Elisha) gave each of his children a slave.

"Phillis White, colored, widow of Archelaus, died August 14, 1830." The graves of Phillis White and three other negroes, probably her family, are in a field belonging to Mr. Aiken S. Coffin.

THE RIOT OF 1808.

In the summer of 1808, some of the people of the town went to Portsmouth to hear Elias Smith, who was then preaching, in the main, the doctrines afterward professed by the sect styled Christians. Mr. Smith was also invited to hold meetings at Hampton. A few individuals here adopted his views, and disclaiming all denominational distinctions, called themselves Christians. Their sentiments were, however, afterward greatly modified, and the church originating with them became the Free Baptist church.

A general meeting of the elders and brethren of the Christian persuasion was appointed to be held in this town, on the 8th of September, 1808, on the Meeting-house Green. This occasioned considerable excitement among the people. They had known something of Elder Smith's preaching, and they distrusted his doctrines. But this circumstance alone would not probably have led them to disturb the meeting. A more powerful reason urged them to action. Their own pastor, Rev. Josiah Webster, who had been installed only three months, had previously been settled at Chebacco parish, in Ipswich. His situation there had been rendered uncomfortable through the agency of certain men who claimed to be Christians, and reformers. One of these, it was understood, would be present on this occasion. It was a foolish bravado of this man that was principally instrumental in exciting opposition to the meeting. He was reported to have said that he had driven Mr. Webster from Chebacco and he would now drive

him from Hampton. In perfect keeping with this threat was the holding of the meeting on the common in front of the parsonage, where Mr. Webster resided, and so near that from his study he could hear what might be said against "the black coats and the standing order."

The day of the meeting arrived. A great number of people assembled on the Green. Presently a company of men appeared with muskets. Some of them were advanced in life and had belonged to the Alarm List in the time of the Revolution. With them were joined others, considerably younger. All were determined to protect their minister from insult at his own door. Such were their feelings, however ill-judged or disorderly may have been their method of expressing them.

The elders who controlled the meeting thought it prudent to retire from the Green, to a field, at some distance, which the owner had offered for the purpose. This was the field at Lane's corner, opposite the late Cotton Brown's house. Elder Smith, in his account of the transaction says: "As soon as the rioters found the people had gone to the field, they followed them, and when they were opposite the field, they began with hooting, firing guns, etc. After proceeding a few rods they marched back and began their pow-wow, firing their guns again Just after passing the assembly, they broke their ranks and rushed into that and the adjoining field, firing their guns, throwing *potatoes* and dirt at the preachers." Pulling the sword-pin from the ox-cart, which served as a pulpit, they tipped them all out. One of the elders then mounted a *stump*, and began preaching, but was soon pulled to the ground.

Elder Smith says the rioters were fifty or sixty in number; that it was supposed that more than a hundred guns were fired; and that the men claimed to be peaceable people, but declared that they meant to defend their *religion* and their *minister*. That they did intend to defend their minister, is certain; that they appeared upon the scene in the name of religion, is not so clear.

The meeting was broken up. Elder Smith left the field first, and the other elders, about an hour after the disturbance began. Mr. Smith's narrative goes on: "Soon after this, they came up to the house where I was (Mr. Joshua Lane's), and stood before it. My horse was harnessed at the back door, and I went down the back stairs, out at the back side of the house, got into my carriage with a brother, and rode away before they knew I was gone, glad to escape through the back door; and through the good hand of God upon me, arrived safe at Portsmouth. Notwithstanding all the tumult, no one

was injured in the least, though some had their clothes scorched with the powder."

The narrative quoted above, a prejudiced recital by one of the principal actors in the drama, was sown broadcast over the land, carrying exaggerated impressions of riotous behavior and persecution. There was undoubtedly wrong on both sides. It was not a dictate of piety to attempt to break up a connection which had just been harmoniously formed between pastor and people, by meeting before his own door to rail against him. It was not a mark of wisdom for a professed preacher of the gospel to proclaim his intention to drive this minister from his parish. It was foolhardy, to come into the parish, among the friends of the pastor, to execute his threat. Had they not been, indeed, "a peaceable people," the attempt could hardly have been made, and "no one injured in the least." But the proceedings of these armed men were disorderly and in violation of law. Had they been content with their victory on the Meeting-House Green, and allowed the elders undisturbed possession of the potato-field and the empty cart, all would have been well; but the temptation to enact a comedy was too strong for the young blood in that mixed company to resist. Some of the leaders were prosecuted, but were discharged, on making a slight acknowledgment of their fault, which, after the excitement of the occasion had passed away, they could not fail to perceive.

THE COLD FRIDAY.

The 19th of January, 1810, was one of the most memorable cold days of the present century. "From a mild state of temperature, the weather suddenly became cold, the mercury descending to thirteen degrees below zero in less than sixteen hours. The change was accompanied with high wind, cold and piercing in the extreme, and of such force as to prostrate many trees and buildings."¹ This is the general description for a wide extent of territory. In Hampton, the morning was so mild, several farmers set out for Newburyport, with ox-loads of potatoes, beguiling with neighborly chat the tedium of the slow progress. On the return, the cold became so intense and the wind so violent, all suffered extremely, and one man who had rashly left his overcoat at home was only saved from perishing, by wrapping himself in the blankets that had covered the potatoes. The next day it was announced in Hampton that, in the midst of all this severity,

¹Hist. Soc. Col. v: 77.

a son had been born to the beloved pastor. He was named John Calvin.

At the annual town meeting, in 1814, it was voted "that in future, the annual meeting shall be opened by prayer, by the minister of the town, after the moderator is chosen." This was no new thing, as the custom had prevailed from early times, but perhaps there had latterly been some laxity in that regard. The good old custom of opening the town meeting with prayer still holds.

CHAPTER XVI.

A WAR—A COLONEL—A REGIMENT. 1812-1860.

THE WAR OF 1812.

DURING the second war with Great Britain, declared by our government on the 18th of June, 1812, New Hampshire was called to double duty, as often before, in the general service, and the protection of her own frontiers. In preparation for the war, Congress had passed an act in April, under which, President Madison made requisition upon New Hampshire for its quota of militia; and Governor Langdon issued orders on the 29th of May, for detaching three thousand five hundred men from the militia of the state, and organizing them, ready for instant action. The draft was made, and companies, battalions and regiments duly organized; but the completion of the work was left to Governor Plumer, who succeeded to the office only two weeks before the declaration of war.

How far this first act affected Hampton, we do not know; but a town meeting was held on the 18th of July, "to see if the town will vote to make any and what addition to the wages of the soldiers, lately drafted for the service of the United States." A committee of ten was chosen, to consider the matter, and report at an adjournment, a week later. The result renders it probable that, in Hampton, as elsewhere in New England, public sentiment, if not opposed to the war, was, at most, lukewarm; for the town voted, "that the selectmen be authorized to pay, in behalf of the town, to the drafted militia, such sum as shall make up their pay to ten dollars a month each, providing that no substitute shall receive such compensation, and that no money be paid to any one until his time of service be expired." In fact, we do not find that Hampton men were called to the front during the first two years of the war. Meanwhile, Gen. Henry Dearborn, of North Hampton, within the old town limits—of the fourth generation from Godfrey Dearborn, an early settler of Hampton—who had been raised to the chief command of the land forces of the United States, as senior major-general of the army, had taken York (now Toronto), in Canada, and Fort George, at the mouth of the Niagara river; but subsequent disasters to our arms in the north, had influenced President Madison to remove him—"an act which was generally looked upon as one of the great mistakes of Mr. Madison's administration."

As might be expected, the Navy Yard and the forts in Portsmouth harbor were early threatened by the enemy; and indeed, the whole New Hampshire seaboard was exposed. British vessels were cruising off the coast, and had even entered the bay of the Piscataqua; but the defenses were found so strong, no attack was made. None felt secure, however, and rumors of the landing of the enemy and of violent deeds, often struck terror into the hearts of the people. Still, affairs in Hampton went on much as usual. The town built up their new academy, created school districts, improved the meeting-house, built roads and tilled the farms, as in time of peace. On "training-day," early in September, 1813, while crowds were gathered near Maj. John Dearborn's (the old Neal house), ominous sounds from the northeast, betokening battle, raised a fever of excitement and alarm. Had they known that the gallant brig, *Enterprise*, was sustaining the brilliant naval record of the war, in the capture of the *Boxer*, what a shout would have rent the air!

All through the war, and for several years later, Lieut. Col. Thomas Lovering, of North Hampton, was in command of the Third Regiment, in which Major Dearborn was at the head of the First Battalion; but only in detached companies was this regiment called to active duty. In April, 1814, under a proclamation of the British admiral, declaring the whole United States coast in a state of blockade, many of our coasting vessels were destroyed by the enemy, in Massachusetts Bay. Portsmouth became alarmed, and asked Governor Gilman for more men. Commodore Hull also sent an urgent appeal. On the 20th of May, the governor issued orders for marching eight companies of the militia to Portsmouth, within five days. Among these, the Hampton men found service, in the company of Major Dearborn's brother, Jacob, as follows, enlisted on the 24th and 25th of May and discharged July 6th:

Jacob Dearborn, Captain.
 Samuel Dow, Lieutenant.
 Shubael Leavitt, Sergeant.¹
 Jonathan Marston, 8^d, Sergeant.
 Jeremiah T. Marston, Musician.
 James Blake.
 Levi Blake.
 Perley Bartlett.
 Samuel Cutts.
 William Godfrey.
 Samuel Harden.
 J. James.²

Jesse Knowles.
 Daniel Lamprey.
 John Lamprey.
 Jacob Marston, Jr.
 John Moulton, Jr.
 Abraham Marston, 8^d.
 Josiah Nudd.
 James Perkins.
 Benjamin Perkins.
 Moses Perkins.
 Zachariah Roberts.
 Willard Shaw.

¹ Drowned at Portsmouth, June 22.

² Prob. Joshua, son of Joshua (8).

During this interval, a panic occurred, when, on the night of the 21st of June, the alarm was raised, that the British were landing forces at Rye, to attack Portsmouth from that quarter. But it proved to be a false report, occasioned by the appearance of suspicious boats in the offing; and, as hitherto, the strong defenses saved Portsmouth from bloodshed. The people, however, were now thoroughly aroused, and, on the 7th of September, the entire militia of the state were ordered to be ready to march, at a moment's warning; while detachments from several regiments were sent with all speed to Portsmouth. Among these, Capt. Jacob Dearborn was again found at the head of a company, enlisted September 26th, for sixty days; among whom, were the following men from Hampton:

Jacob Dearborn, Captain.	James Godfrey.
Jonathan Marston, 8 ^d , Sergeant.	James Nudd.
John Towle, Corporal.	Joseph Palmer, Jr.
David Marston, "	Nathaniel Cotton.
Jeremiah T. Marston, Principal Musician.	Nathan Godfrey.
Jonathan Philbrick.	John M. Blake.
James Johnson.	David Blake.
David Philbrick.	Samuel Barker.
Thomas Leavitt, Jr.	Simeon Lane.
John Lamprey, Jr.	Jonathan Redman, Jr. ¹

In Colonel Lovering's regiment (stationed at the South Ropewalk in Portsmouth, David Towle, Adj. and William Carroll, Quarter-Master) was Capt. Philip Towle's company, nearly all of whom were Hampton men, enlisting from the 11th to the 15th of September, and discharged on the 29th. It is said that, in less than two hours after the order was received, the company was on its march. The roll is as follows:

Philip Towle, Captain.	Dearborn Lane.
Samuel Dow, Lieutenant.	Jonathan Blake, Jr.
Richard Greenleaf, Ensign.	James Blake.
Willard Emery, Sergeant.	Jethro Blake, Jr.
Simon Towle, Jr., "	Josiah Blake.
Philip Towle, Jr., "	Levi Blake.
Samuel Cutts, "	Nathan Blake, Jr.
John Moulton, Jr., Corporal.	Moses Brown.
Amos Towle, 8 ^d , "	Oliver Cilley.
Jonathan Leavitt, "	Moses Dow.
Abraham Fogg, "	John Cotton.
J. T. Marston, Musician.	Jonathan Daniels.
Philip Towle, 8 ^d , "	Nathaniel Drake.
John Batchelder, Jr.	Abraham Drake.

¹ Levi Redman, who died in the army, a brother of Jonathan, Jr., was probably in this company, though his name does not appear in the Adj. Gen.'s Report.

Ebenezer T. Drake.	Jacob Marston, Jr.
Daniel Drake.	Jonathan Marston, 3 ^d .
Anthony Emery.	Caleb Mason.
John Moulton.	Abner F. Mace.
Samuel Garland.	Joseph Moulton.
Nathan Garland.	Jacob Moulton.
Jonathan Garland.	Charles Moulton.
Simeon Godfrey.	Josiah Nudd.
Simeon Godfrey, Jr.	John Perkins.
William Godfrey.	Benjamin Perkins.
Samuel Harden.	Moses Perkins, Jr.
Asahel Johnson.	Samuel S. Page.
Zaccheus Roberts.	Jeremiah Philbrick.
James Lamprey.	John D. Shaw.
Jeremiah Lamprey.	Samuel Shaw.
Josiah Lane, Jr.	John Garland.
Jacob Marston.	Willard Shaw.
Meshech Lane.	Henry Shaw.
Ebenezer Leavitt.	Josiah Shaw, Jr.
Daniel Lane.	Moody Stockman.
Thomas Lane, Jr.	Joseph Towle, 3 ^d .
William Lane, Jr.	William Tuck.
Jonathan Perkins.	Daniel Towle.
Samuel Marston.	Jonathan M. Locke.
Abraham Marston, 3 ^d .	Daniel Towle, Jr.

Capt. Samuel James also commanded a small company, in which were a few men from this town, namely :

Samuel James, Captain.	Taylor Weare.
Amos Knowles, Corporal.	Jesse Knowles.
Samuel Locke.	Joseph Philbrick, Jr.
Reuben Lane.	

Of the troops thus brought into Portsmouth from all points, some manned the forts ; others were placed at the "South Ropewalk," to repulse any of the enemy who might succeed in pushing past the battery, towards the town ; while a third detachment was posted on "The Plains," commanding the country roads, to guard against an attack from forces landing at Hampton or Rye, whence danger was apprehended. The British, learning through one of their officers, who rowed up the Piscataqua, disguised as a fisherman, that "the town was swarming with soldiers, and well defended," gave up their plan of destroying it, and withdrew toward the south.

Governor Gilman's orders of September 9, requiring the militia to arm for instant service, contained the following paragraph : "And, whereas, there are a large number of men, able to bear arms, who are, by our militia laws, exempted from ordinary military duties, they are

hereby invited and requested, in the present alarming state of the country, to assemble in their respective towns, organize themselves into companies, and prepare for defense, in case it should become necessary." In compliance with this request, a company of Minute Men was at once formed in Hampton. Though they were never called into service, they deserve grateful mention, as volunteers. The original muster roll, signed by Edmund Toppan, Clerk, is now in possession of Mr. Christopher G. Toppan, who kindly furnishes the names, as follows :

Jonathan Marston, Captain.	Simon Lane.
Willard Emery, Lieutenant.	Thomas Lane.
Nathaniel Locke, Ensign.	James Leavitt.
John Batchelder.	Asa Marston.
Sanborn Batchelder.	Isaac Marston.
John Blake.	John Marston.
Jonathan S. Blake.	John Marston, Jr.
Simon Blake.	James Moulton.
Zechariah Blake.	Joseph M. Moulton.
Samuel Brown, Jr.	David Nudd.
Amos Cilley.	John Philbrick.
Stephen Coffin.	Thomas J. Rand.
Theodore A. Coffin.	Joseph Redman.
Reuben Dow.	Josiah Robie.
Henry Elkins.	Benjamin Shaw.
John Green.	Josiah Shaw.
Nathaniel Johnson.	Amos Towle, Jr.
Daniel Lamprey.	James Towle.
David Lamprey.	Samuel Towle.
Jeremiah Lane.	Thomas Ward.

No further duty was required of Hampton soldiers, for the war was drawing to a close. News of the Treaty of Ghent, though too late to prevent the battle of New Orleans, arrived the following winter, and peace once more returned, to bless the nation.

COL. CHRISTOPHER TOPPAN.

That "one generation passeth away and another generation cometh" is forcibly exemplified, when a prominent citizen lays down his old activities, bends to the infirmities of age in the retirement of his fireside, and then passes away, to mingle no more in the scenes of earth. Hon. Christopher Toppan was such a man — for more than half a century, prominent in affairs, until, enfeebled by age, he was worthily succeeded in public honors and trusts, by his son, Edmund.

On the 28th of February, 1818, he died.



Christo? Toppan

Hon. Christopher Toppan, the only son of Dr. Edmund Toppan that grew up to manhood, was born January 18, 1735, O. S., and was left fatherless before he had completed his fifth year. It was, however, fortunate for him, that he had a mother, capable of directing his education and training him up in correct habits. Perhaps he was naturally inquisitive and fond of knowledge. Certain it is, he was even in early years fond of the company and conversation of persons, from whom he might acquire valuable information. This he often spoke of in mature life, mentioning particularly, Dea. Joseph Philbrick, as one, from whose conversation he derived great benefit. He was accustomed to make frequent calls upon the venerable deacon, and listen with eagerness to his instructive words. By this and kindred habits, by the time he was twenty-one years of age, he not only had acquired rich stores of knowledge, but, by a well disciplined mind, was able to adapt himself to any emergency that might arise. In a word, he stood on high vantage ground.

It is believed that the property inherited by Colonel Toppan was not large, but it was carefully husbanded. It was considerably increased by the business of ship-building, in which he early engaged, and which he carried on somewhat largely. It is probable that he also made his commercial pursuits and the fishery profitable, though he met with some heavy losses, among which was that of a brig, on her return from the West Indies, and a few years later, of a schooner, upon the Banks of Newfoundland.

Colonel Toppan's influence in the town was great. His superior knowledge, his well cultivated intellect, his great sagacity, his foresight and his wealth, all contributed to this result. While his superiority in these respects was admitted, however, there were many who believed him to be too much controlled by self-interest. Such was the prevalent feeling in the early part of the Revolution. For some time, it was considered doubtful, whether he would commit himself in favor of the cause of freedom. This doubt was not removed, when, in October, 1775, he declined the office of Lieut. Colonel of the Third regiment, to which he had been appointed. Subsequently, however, he took a decided stand in favor of liberty and independence, and the confidence of the people in his patriotism, which for a time had wavered, was fully restored.

Colonel Toppan was often elected to office. He was on the board of selectmen, five years. At the age of twenty-seven years, he was elected one of the representatives of the town, and served in that capacity thirteen years, before the Revolution, when the town was entitled to two representatives, and eight years, after its close, when

the number was limited to one. He was also elected to that office on two other occasions, but did not accept, as he had at the same time been chosen councillor, to which office he was elected five times, and four times to the Senate. In 1774, he was appointed one of the justices of the Court of Common Pleas, and held the office one year.

Colonel Toppan was a prominent man in the ecclesiastical and parochial dissensions, which agitated the people of the town for many years, after the death of Rev. Ebenezer Thayer, in 1792. He acted with the Congregationalists, and was forty-nine years a member of the church.

For several years near the close of his life, he lived in retirement, though even at that time, he was often consulted, and his advice sought, on matters of importance.

He was eighty-three years of age when he died.

[See Genealogies—Toppan.]

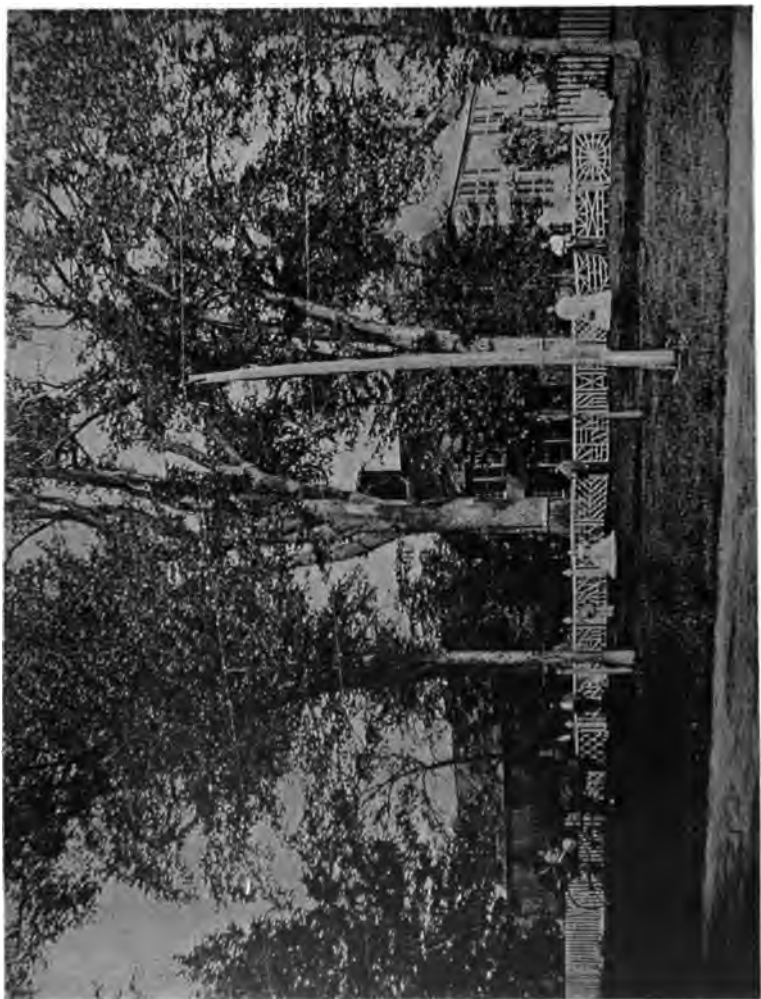
THE THIRD REGIMENT.

At the session of the Legislature, December 27, 1792, an Act passed, "arranging the militia into regiments, Brigades & divisions & describing their limits," provided "that the companies in the towns of North Hampton, Hampton & Hampton Falls shall form a first battalion; the companies in the towns of Seabrook, Kensington & South Hampton shall form a second battalion—which shall constitute the *third regiment*."¹ At this time, the law required that all free, able-bodied, *white*, male citizens, from eighteen to forty years of age, should be enrolled. Each company was to be called out for inspection and drill, at least twice a year; each battalion, once a year. In 1795, the limit of age was made from sixteen to forty. In 1805, company inspection was established for the last Wednesday in June, annually (changed afterwards to May), also, annually, in the month of August or September. Regimental musters were but once a year.

In 1808, the Third regiment was commanded by Lieut. Col. Benjamin Shaw, and the next year, by Lieut. Colonel (afterwards Colonel) Thomas Lovering, of North Hampton, who continued in command during the second war with England, and later, resigning in 1819.

The war passed, but the militia service continued effective, for a long series of years. Regimental musters were gala days. Old and young looked forward to them, and joined with zest in the festivities. The muster field, with its eating-booths, show-tents, auction-carts, candy-stands and plenty of New England rum at three cents a glass,

¹ Adj. Gen's Rept. 1866, II: 375.



THE OLD TOPPAN HOMESTEAD.

presented a gay appearance, marred, too often, by the spectacle of men, with muddled brains and unsteady feet. In early times, little attention was paid to uniforms and equipments, a pitchfork or an ox-goad serving for drill, as well as a gun; but later, much pride was taken in the personal appearance of the companies. Each town had, indeed, besides its uniformed company, a company of infantry, liable to do military duty, but not uniformed, no two men alike in dress, accoutrements or arms,—a comical array, nicknamed the "Old Salt Hay."

In 1827, a Rifle company was formed in Hampton, organized at the residence of Josiah Dow, on the 21st of May. "Col. John Dearborn [now commanding the Third Regiment] being also present, was chosen Moderator of the meeting." Josiah Dow, Jr., was elected Captain; Williard E. Nudd, Lieutenant; and Frederic Towle, Ensign. In August following, Captain Dow received his commission; and a few days later, he went to Boston, "in John Johnson's schooner," to purchase rifles for the company. It is recorded of them, "They are very handsome ones, and cost eleven dollars each." The first drill of the company was September 6; and from this time on, for many years, the Hampton Rifles were the choice company of the regiment. Of its early members, only Edward Shaw, Isaac Emery and Oliver Godfrey survive. The young captain subsequently became *Colonel* Josiah Dow, in command of the regiment. Mr. Shaw became Lieutenant of the Rifles, in 1832.

Besides the Hampton Rifles, there were, in the regiment, the South Hampton Rifles, the Light Infantry of Hampton, a company of Artillery, mostly from Hampton and North Hampton, and a company of Cavalry from the different towns. Rev. Josiah Webster was, at one time, chaplain; and, on muster days, a detachment of cavalry escorted him, a fine rider, superbly mounted, from his house to the muster field. The first cannon of the Artillery company was only a three-pounder; but later they had a superior brass six-pounder, furnished by the State. This was kept in a gun-house, that stood on land, now a part of the Center school yard, and was in charge of Robert Philbrook, for many years. This gun was taken by the State, early in the late war, and put to active service. Ebenezer Lane, Moses A. Dow, George W. Philbrick and others, were at different times, captains of the Artillery;—David A. Philbrick, and many others, captains of Infantry.

A member of the Rifle company, in its later years, says: "I well remember attending a muster, near the Lafayette tavern, in North Hampton; also one in Hampton, in the Toppan field, back of the

town-house; I remember them in Hampton Falls, in the Brimmer field; in a field, where the Scotch settlement now is; once, near the house of the late James D. Dodge; once, near the house of General Nason; and in the Toppan field, near the late Moses Marshall's; also once, near Lamprey's Corner, in Kensington; and in some of these places, several times." Mr. Shaw remembers farther back, when the annual muster was in "Dodge's pasture" at Hampton Falls, year after year.

But the glory of those old musters passed away. Men grew weary of "training" and "great training." Many lamented the free flow of liquor, and other demoralizing features of the parade; some grudged the expense. At length, the question was made a political issue, and in 1846, musters and trainings were abolished by law. The next year, however, a martial feeling prevailed, that law was repealed and the old law, reestablished, with amendments. This was in the midst of the Mexican War, when the Ninth (or New England) regiment, U. S. Infantry, commanded by Brig. Gen. (afterwards President) Franklin Pierce, and containing two companies recruited mainly in New Hampshire, was in active and gallant service in that far-off field. But that war, though sharp, was short;—and still the military spirit declined, till in 1851, the Legislature enacted that, in time of peace, the militia of the State should be subject to no active duty. At that time, the Third regiment was officered by John M. Weare, Col.; David Cotton Marston, Lieut. Col.; Benjamin F. Hill, Maj.; George A. Chase, Adj.; Stephen A. Brown, Q. M.

Five years later, the "Amoskeag Veterans," of Manchester, awoke the enthusiasm of the State, by their visit to Washington and Mount Vernon, and the continual ovation they received *en route*. This led to the adoption of a new system, whereby it was hoped that active military duty would be performed by volunteers. "The Governor's Horse-Guards," a battalion of volunteer cavalry, organized in 1860, was an outcome of this new system. Col. Stebbins H. Dumas, present proprietor of the Boar's Head hotel, but then resident in Concord, was commissary of that organization.

Gen. Charles A. Nason, of Hampton Falls, was now Major General of the First Division, New Hampshire militia; but the Third regiment, whose fortunes we have followed, had become defunct. In fact, our forty-two regiments had dwindled to *one*, and twelve independent companies—and a *stupendous civil war, close upon us!*

CHAPTER XVII.

THE CIVIL WAR. 1860-1865.

THE autumn of 1860 had been a time of intense excitement throughout the country, more especially in some of the southern states. The votes for electors of President and Vice President for the next four years were to be cast in November. Four candidates for the presidency were in the field, and the result was doubtful.

With the election of Mr. Lincoln, treachery, which had long been preparing, broke into open rebellion; state after state seceded; Sumter was bombarded and taken April 14, 1861 — and then, and not till then, did the nation accept war as inevitable, and rush to the defense of the Constitution and the flag.

In New Hampshire, before the close of that year, eight regiments had been created at the calls of the President, and six of them sent forward, the Seventh and Eighth soon following. Six more regiments for three years, and three for nine months were raised in 1862; but the last of these, the Seventeenth, was the following year consolidated with the Second. The Eighteenth infantry, one cavalry, one light and one heavy artillery, three companies of sharpshooters, five companies for garrison duty at Fort Constitution and an unknown number of men in the navy completed the quota of New Hampshire during the war. In fifteen of these New Hampshire regiments, in nineteen from other states, and in the navy, Hampton avowed her loyalty.

THE WINNACUNNET GUARDS.

[From advance sheets of Adj. General Ayling's report.]

In October, 1860, in response to a call, signed by Charles F. Dunbar and others, several of the young men of Hampton met and took the preliminary steps for the formation of a military company. Thirty-six signed the roll and all but three became active members of the new company, which was called the Winnacunnet Guards. They chose the following officers: Captain, Charles F. Dunbar; First Lieutenant, Orrin M. Dearborn; Second Lieutenant, Amos J. Towle;

and Joseph Warren Dow was appointed First Sergeant. Arms and equipments were secured from the state, the town furnishing a room in the town-house for an armory.

With the firing upon Sumter and the call from the President for troops, the company saw need of their services, and at a special meeting called for that purpose, April 17, 1861, passed the following vote: "That we, the Winnacunnet Guards of Hampton, N. H., hereby volunteer our services to the Governor of this state and are ready to enter upon such duty as he may direct at notice; and that Captain Dunbar, Lieutenants Dearborn and Towle, with Sergeant Dow constitute a committee to so notify His Excellency, Governor Goodwin, forthwith."

In accordance with this vote the committee visited Governor Goodwin, at his residence in Portsmouth the next day, and presented him with a copy of the vote. He accepted the offer and promised that the company should be put upon the roster then forming for the First regiment; and he requested Captain Dunbar to report to Adj. General Abbott, at Concord, for further orders—which he did April 19, 1861. Captain Dunbar that day enlisted for three months, was appointed a recruiting officer and ordered back to Hampton, to enlist his company for the same period, add recruits thereto and await orders.

For some unexplained reason they were not put into the First regiment but assigned to the Second, also organizing for three months, rendezvousing at Portsmouth and to be commanded by Thomas P. Pierce. Before the Second regiment was ready to take the field, orders came from Washington, for three years men, which resulted in changing the Second regiment's time to that period, and a change in its commander.

Captain Dunbar was ordered to discharge his company that he had enlisted for three months and enlist one for three years. Several who had enlisted for the former period refused to go further, although many of them were afterwards in service; but the majority reënlisted for three years unless sooner discharged, May 18, 1861. . . . This company was the foundation of Company D, Third regiment New Hampshire Volunteers, and was mustered into United States service, August 28, 1861.

ROLL OF THE WINNACUNNET GUARDS, HAMPTON, N. H., OCTOBER, 1860.

Captain, Charles F. Dunbar.

First Lieutenant, Orrin M. Dearborn. Second Lieutenant, Amos J. Towle

First Sergeant, Joseph Warren Dow.

Sergeants.

Jefferson C. Dunbar, George Perkins, David P. Marston,
Joseph Warren Akerman.

Corporals.

Abram Dow, William E. Lane, John Sanborn James, Jonathan N. Dow.

Musicians.

Adna B. Chase, Harrison Janvrin.

Privates.

Andrew J. Batchelder.	Charles W. Lane.
William H. Blake.	George W. Marston.
George T. Crane.	Joseph W. Moore.
Lewis W. Dow.	Lewis P. Nudd.
Hale B. Dearborn.	Andrew J. Philbrick.
Jacob H. Eaton.	Joseph A. Philbrick.
Washington H. Godfrey.	Thomas J. Philbrook.
George W. Goss.	Joseph E. Palmer.
John F. Hobbs.	David W. Perkins.
George R. James.	Samuel S. Page.
Charles M. Lamprey.	Benjamin F. Goodwin.

IN THE COUNTRY'S SERVICE.

Of the above company, all the officers except the musicians, together with privates Blake, Crane, Dearborn, Eaton, Godfrey, Goss, Hobbs, James, Marston, Palmer and Perkins and sixteen recruits, enlisted in Hampton, of whom James Fair was a resident, left Hampton for Portsmouth, May 25, 1861, and served three months at Fort Constitution. Other enlistments occurred there, and two more Hampton men, Samuel W. Dearborn and William L. Dodge enlisted at Concord, when the company was mustered.

This enlistment was but a beginning. As time passed and the odoracy of the Rebellion became apparent, men of all ages and conditions devoted themselves to the service of their country, while women bade them God-speed, and waited in anxiety and sometimes in stricken grief at home;—serving likewise, as best they could, in "Soldiers' Aid Societies," for preparing camp and hospital supplies, and in carrying alone the burdens and cares thus doubled upon them.

The first war act noted on the town records was the calling of a meeting held November 7, 1861, when the care of soldiers' families was considered, and it was voted: "That the selectmen be directed to furnish aid to dependents on soldiers, from this date." August 25, 1862, the town first voted a bounty for enlistments, the earlier soldiers having enlisted without town bounty. From this date, for two months, town meetings were held frequently, by adjournment. Uri Lamprey

was appointed to revise and correct the enrolment. Morris Hobbs, Jacob T. Brown and Uri Lamprey were chosen a war committee. The next March, the town voted to raise money for the benefit of returned, disabled soldiers, agreeably to the law of the state; and the following summer, Charles M. Lamprey was appointed, to procure substitutes, "unmarried aliens preferred." Again, in 1864, Uri Lamprey was chosen, to revise the enrolment, and this time, to fill quotas, and pay soldiers; the selectmen to furnish him an amount not exceeding three thousand dollars, in such sums and at such times as he might require for the purpose; the agent to give bonds in the sum of ten thousand dollars. This office Mr. Lamprey held till March, 1865, when it passed by vote, to the chairman of the selectmen.

Statistics of town bounties and of individual payments for substitutes are appended to this chapter.

It were idle to attempt to follow the vicissitudes of the war. Written histories meet us on every hand; and it is still too recent to have passed from the memory of those who participated in its occurrences, or felt its adversity. Rather, let us turn the pages of personal experience, and from pictures imperfectly drawn, take glimpses here and there, of scenes most nearly connected with our own town.

The Third regiment having been assigned to Gen. T. W. Sherman's corps, for a supposed secret expedition, reached Port Royal harbor, South Carolina, on the 4th of November, 1861; and on the 9th, "landed in a large cotton and corn field, where cotton enough to have furnished clothing for the whole brigade was burned for the purpose of clearing camp and drill ground."¹ Here, at Hilton Head, began camp life in the enemy's country; and here, on the 20th of February, 1862, fell Hampton's first victim of the war—Color Sergeant Jonathan N. Dow. Not at the cannon's mouth, but by wasting fever, he laid down his life for his country. His brother came, and bore the remains to his native town, whose citizens sorrowfully laid them to rest in the cemetery.

Near the last of March, the enemy attacked the Fifty-fifth Pennsylvania, on Edisto Island. They were driven back, but the Fifty-fifth abandoned its position, and the Third New Hampshire was ordered to reoccupy it. This was welcome news to the men, so long comparatively inactive at Hilton Head. They embarked, on the 3d of April, and landed on Edisto the same night. Hampton soldiers recall the appearance among them, while there, of a colored refugee, with a broad iron band around his ankle, placed there by a cruel master, so long before, that the flesh had grown over the edges of it. They remember his joy, when their efforts with file and knife had

¹Adj. Gen. Head's report.

availed to remove the band, lacerating the limb, but making the poor negro a free man.

An experience occurred soon after, in which our men were sufferers. All the sea islands, so close to Charleston, "the hotbed of secession," were dangerous ground. On the 2nd of June, the New Hampshire Third and the New York Forty-seventh crossed under orders, to John's Island, marched seven miles, drenched with rain and short of rations, and, having awaited the assembling of the whole command, began another long march at two o'clock on the morning of the fourth, in dense darkness and a torrent of rain, through an unfamiliar country, known to have been occupied but recently by the enemy. They reached Legareville at noon; and after one day's rest, crossed to James Island, to report to General Stevens. Scarcely refreshed by their day's halt, and with appetite but half appeased, could anything be more welcome than the sight of a drove of cows, coming out of a belt of woods? Our men shot several, took off their hides as best they could, with pocket knives, surrounded the carcasses and cut out generous pieces, to run on sticks and take to the fire to roast.

This episode recalls others, later on in the war;—as, when a stout Scotchman stole into the enemy's lines in the night and returned to camp at daylight, shouldering a barrel of flour.

On James Island began "the perils of siege and skirmish, of assault and repulse," wherein the Third regiment gained a well-earned reputation for valor, which it held, untarnished, to the last; for in the spring of 1863, operations being recommenced for the taking of Charleston, this regiment was again put to active service.

After the unsuccessful charge on Fort Wagner, on the 18th of July, the Union army sat down before that fort, to take it by regular approaches; and the Third New Hampshire was one of three regiments "to be at all hours in front of the army." Stealthily the rifle-pits crept up their zigzag course, almost to the very guns of the enemy. Every day the ranks were thinned, but not a man flinched. A single instance is given, to show the peril of the situation:

Between Morris Island and the main land flows Vincent creek, down which the enemy's boats might pass, to flank the Union batteries. To prevent this, two of our Hampton men¹ and five others were detailed from headquarters to boom the creek. Only in the darkness of night could this be done. The whole region bristled with fortifications—Forts Wagner, Gregg, Moultrie, Sumter and Johnson; numberless batteries; and, worse than all, for that detail, the rebel sharp-shooters along both banks.

¹ Samuel W. Dearborn and Washington H. Godfrey.

The only hope of life, while taking the hewn logs down to the entrance, where three booms were to be thrown across, was in hanging to the side of boat or boom, with only the head above water. Then, silently and cautiously, the men felt their way along the timbers, in the darkness, to bolt them together—showers of hot shot whizzing incessantly around them, meanwhile, making the water seethe like a boiling pot. Again and again, the tide broke the fastenings asunder; but after seven nights of jeopardy like this, having borne charmed lives, not a man was missing, when they reported their task accomplished.

No less perilous was the erection of the masked battery, known as the "Swamp Angel," in which some of our men participated. This also was night work; and its successful achievement helped to the occupation of Wagner and Gregg and the bombardment of Sumter.¹

After the taking of forts Wagner and Gregg, the Third did provost duty on Morris Island, till the reenlistment of many of its members, for three years or the war, who went home on furlough; when the remainder, with recruits, repaired to Hilton Head, were mounted and went to Florida, serving there till the latter part of April, 1864, as mounted infantry. They then went to Virginia, where they were joined on the 29th, by the reenlisted men, being accompanied by the other regiments of their corps, who had served with them in the South, forming the Tenth army corps, of General Butler's Department of the James.

Who could know that, in a fortnight, two Hampton men who shook hands with their comrades that day would be killed in battle;² and that three months later, two more, with term of service almost expired, would likewise be cut down?³ In the terrible battle of Drury's Bluff, which followed the return of the veterans, the Third New Hampshire led the van the first day, and Company D was in advance of all. The victory of the 18th, the constant fire of the next two days and the retreat of the 16th, are well remembered. Here, on the night of the 15th, our soldiers threw up earthworks, some using tin clippers, for want of better tools, preparing for a charge on the morrow. The night was thick with fog. No object could be discerned at a distance of ten feet; and yet the men toiled on. It was a fruitless task. Under cover of the fog, the enemy had made a flank movement, a general engagement followed, our army was overpowered and a retreat ordered. Having reached an opening through the woods, they re-formed, and

¹ Lieut. William L. Dodge was one of the first twenty, of the "forlorn hope," who entered Fort Wagner.

² David W. Perkins and J. Eldredge Palmer.

³ George Perkins and Simon N. Lamprey.

once more, the post of greatest danger was given the gallant Third. "Charge the enemy, advancing on the left!" said General Terry. The charge was made and the enemy driven back, while the main army continued its retreat.

The remaining days' of the three years' men were eventful ones, including part of the siege of Petersburg. Necessary to this, was the cutting off of communication with Richmond, by the Richmond and Petersburg railroad,—which was accomplished several times, it having been repeatedly restored by the rebels. In one of these expeditions, a detachment came to a halt, on a hot, dusty June day, wanting water. On a shelf outside a little cabin by the wayside, stood a brimming bucket, temptingly, and a gourd, hanging near. "Fill your canteens, boys!" said Lieutenant James. At this instant, a rebel woman emerged from the house and vainly tried to carry off the prize, demanding angrily: "What are you uns down here, fighting we uns for?"

On the 23d of August, 1864, such of the surviving Hampton soldiers of the Third regiment as had not reenlisted, and, a little later, three from other regiments, whose term had expired, were mustered out, and came home to their expectant families, bronzed, battle-stained and full of honors.

Our town had still its soldiers in the Third regiment;—and one more picture shall be drawn. It is a winter scene, on the eve of the expedition to Fort Fisher, and the soldiers have bivouacked on the banks of the James, waiting for transportation. Rolled up in their blankets, they are sleeping on the ground; the silent snow has fallen, and every soldier is a white mound. It is like graves—and the stillness of death prevails. But morning breaks; the men spring up, and, tossing the snow aside, with jest and badinage, prepare the coarse, and not over-appetizing breakfast. It is not alone in battle that one need be brave, to be a soldier.

Next the Third regiment, the navy contained more Hampton men than any other department of the war. These were assigned to different ships. Even brothers were separated. Some served on the gallant steam frigate, *Colorado*; some, on the swiftly sailing double-ender, *Miami*, pluckily fighting at close range; some, on the *Agawam*, the *Jamestown*, and perhaps other war vessels, whose exploits are known in history. Coöperating, generally, with land forces, they participated in engagements on the Atlantic and Gulf coasts, and, notably, on the Mississippi river, mingling bravely in those fearful scenes.

In point of numbers, though not in order of time or length of service, the Heavy Artillery stands third, as regards the Hampton men

employed in the war. On the 17th of September, 1864, twelve went in a body from this town to Portsmouth, and enlisted for one year, in Company K of that department, under Captain Houghton, of Manchester. As fast as the companies were organized, they were sent on to Washington, and assigned chiefly to garrison duty. Company K was stationed at Fort Kearney, men being detailed for special service, as occasion required—not called to the perils and fame of battle, but to the tedium of defense, or the exhaustion of manual labor.

Eleven Hampton men went into the Fifteenth regiment, in October, 1862. After a month's encampment on Long Island, they embarked on a secret expedition. By Christmas, the whole regiment was at New Orleans; and soon joined other regiments in camp near Carrollton, in swampy and unhealthy ground. Successive removes brought the Fifteenth, by the last of January, to Camp Parapet, seven miles west of New Orleans, as a part of Gen. Neal Dow's brigade, in Gen. T. W. Sherman's division. Company I, to which all but one of the Hampton men belonged, was for a time detailed to take charge of some paroled prisoners; but heavier work was in store. Port Hudson must be reduced, and deadly was to be the conflict.

On the 23d of May, 1863, began the cautious advance of General Sherman's division upon that rebel stronghold. Oh! the agony of those waiting days, in the far-off northern homes! Oh! the carnage of the terrible 27th of May, when General Sherman lost a leg and General Dow was severely wounded, and thousands of brave soldiers were strewn dead upon the field! One Hampton name was stricken that day from the roll of Company I, of the Fifteenth New Hampshire¹ and one from the naval service,² and sad-hearted comrades wrote home the news and nerved themselves for further conflict. Not till July did Port Hudson surrender.

There is still one more regiment, the Fourteenth, in which a considerable number of men of our town entered the country's service. The rest were scattered singly or in very small numbers among the various commands, sometimes crossing each other's paths, perhaps unknowingly in the same engagements; but all inspired with thought of loyalty and purpose of devotion. The Fourteenth, enlisted in September, 1862, was brigaded with regiments of Massachusetts, Vermont and Maine, and spent the following winter in picketing the Potomac river. The next year, it did provost duty in Washington. Early in 1864, after a short, blessed furlough at home, it went to New Orleans, arriving on the 20th of March, and proceeding at once to Camp Parapet,

¹ John D. Lamprey.

² Daniel Godfrey.

whence the Fifteenth had gone out the year before, to the blood-bought field of Port Hudson.

In June, the soldiers were removed to the malarious Red river country, hot and dank, where were planted the seeds of consumption, of which two Hampton members of Company D (Perkins and Page) have since died; and of chills and fever, of which others are victims to this day. In July, however, the regiment returned to Virginia and joined Sheridan's army, taking a conspicuous part in the memorable battle of Winchester. In the soldiers' cemetery on the battle field, there rises a monument inscribed: "New Hampshire erects this Monument to the memory of her brave sons of the Fourteenth Regiment, who fell in battle September 19th, 1864, upon this field; and are here buried in one common grave." Among the names inscribed thereon is "Private, M. Marston."¹

Perhaps no regiment had harder fortunes than the Sixteenth New Hampshire, in which four Hampton men were enlisted. Though the term of service was short, the regiment was rapidly depleted by the miasma of its camping-ground, as well as in the desperate struggles on the Mississippi, in which the Eighth, Fourteenth and Fifteenth also participated. So fearful was the havoc of disease, General Emory once telegraphed to General Banks, that there were "only a few *skeletons* of the Sixteenth New Hampshire left." Death or crippled lives resulted for Hampton men as for others.

In different regiments, five other Hampton men,² and how many substitutes none will ever know, laid down their lives on battle fields.

There is yet another form of sacrifice, for which time brings no soothing thought. Men died in camp, in exposure and privation, indeed, but watched over by sympathizing comrades; and men fell in battle; and men came home, with broken constitutions; and for all these woes there are compensations; but who can recall with calmness the atrocities of rebel prisons? At any distance of time, one stands aghast, in view of them. Yet these did some of Hampton's sons endure, for a time; and one, after months of untold suffering, died of starvation, at Andersonville.³ A stranger, too, accredited to Hampton, *somebody's substitute*, suffered a like fate.⁴

Thank God! the horrors of war ended at last; and, with the stars and stripes again waving over all the states, the great army vanished, and peace reigned over a nation saved.

¹ Melbern Marston.

² Jeremiah Batchelder, James Fair, Charles W. Nudd, Edward S. Perkins, David T. Philbrook.

³ George Dearborn.

⁴ Outon Salingale.

MEMORIAL RECORD.

A list of the Soldiers and Sailors, in the war of the Rebellion of 1861 to 1865, from and of Hampton, N. H., with date of enlistment and discharge, also rank at each period, reenlistments and deaths. Those marked * are dead.

SECOND REGIMENT, N. H. VOLUNTEERS—THREE YEARS.

	RANK WHEN MUSTERED.	RANK WHEN DISCHARGED.	
*Joseph Samuel Gillespie	Co. B, Priv. June 1, 1861	Sergeant, June 18, 1863	Reenlisted; Drowned in James river, Va.

THIRD REGIMENT, N. H. VOLUNTEERS—THREE YEARS.

	RANK WHEN MUSTERED.	RANK WHEN DISCHARGED.	CAUSE.
*Charles Franklin Dunbar	Captain, Aug. 23, 1861	Captain, June 20, 1862	Resigned.
(*?) Orrin Mozart Dearborn	2nd Lieut. " " "	" Feb. 11, 1863	"
*Jefferson Clinton Dunbar	1st Sergt. " 23 "	1st Sergt. July 31, 1863	Disability.
*George Perkins	Sergeant, " 23 "	Sergeant, Aug. 16, 1864	Killed in action.
*David Pickering Marston	" " 23 "	" Mar. 11, 1862	Disability.
*Joseph Warren Akerman	" " 23 "	2nd Lieut. July 28, 1863	Resigned.
Abram Dow	Corporal " 23 "	Sergt. Nov. 5, 1862	Disability.
William Eldredge Lane	" " 23 "	" Aug. 23, 1864	Expiration term of service.
John Sanborn James	" " 23 "	Captain, July 20, 1865	Close of war.
*William Henry Blake	Private, " 23 "	Private, Aug. 23, 1864	Expiration term of service.
*George Tyler Crane	" " 23 "	Sergeant, June 26, 1865	Wounded.
*Jonathan Nudd Dow	" " 23 "	" Feb. 20, 1863	Disability.
*Hale Bradford Dearborn	" " 23 "	Private, July 20, 1865	Died of disease.
Samuel Wesley Dearborn	" " 23 "	" Aug. 23, 1864	Close of war.
William Ladd Dodge	" " 26 "	1st Lieut. Oct. 19, 1864	Expiration term of service.
*James Fair	" " 23 "	Private, June 16, 1863	Expiration term of service.
*George Washington Goss	" " 23 "	Sergeant, May 20, 1865	Killed in action.
Washington Hobbs Godfrey	" " 23 "	Private, Aug. 23, 1864	Wounded.
*John Franklin Hobbs	" " 23 "	Corporal, Mar. 15, 1863	Disability.
*George Washington Marston	" " 23 "	Private, July 20, 1865	Died of disease.
*David Warren Perkins	" " 23 "	1st Sergt. May 13, 1864	Close of war.
*Joseph Eldredge Palmer	" " 23 "	Private, May 16, 1864	Killed in action.
*Simon Nudd Lamprey	Corporal, " 23 "	1st Lieut. Aug. 16, 1864	Killed in action.
Amos Jackson Towle	2nd Lieutenant,	Not mustered.	Died next day from wounds.
Joseph Warren Dow	Sergeant,	Rejected at Concord. N. H.	Disability.

Excepting Simon N. Lamprey, who enlisted from Exeter, in Co. B, the above went out as part of Co. D. Lieutenant Towle was counted out by additions from other places, and not mustered. Sergeant J. Warren Dow could not pass the medical examination; both served with company three months while at Fort Constitution, N. H., previous to its joining the Third. Sergeant Dow was afterwards twice drafted, and rejected both times. He thereupon served as a recruiting officer in New Hampshire.

John S. James, George T. Crane, Hale B. Dearborn, George W. Goss, John F. Hobbs and George W. Marston reenlisted in 1864.

Of the twenty-five, four were killed in action; one died of wounds; two died of disease, in service; and two were wounded. Twelve served three years; and three were with regiment at final muster. Seven out of the twenty-five are alive at mid-summer 1892, five of whom served three years or more.

FIFTH REGIMENT, N. H. VOLUNTEERS—THREE YEARS.

	RANK WHEN MUSTERED.	RANK WHEN DISCHARGED.	CAUSE.
Oliver Washington Blake	Co. D Priv. Oct. 23, 1861	Private, Oct. 25, 1862	Disability.
Alonso Whipple Shaw	" " " " 23, "	" Nov. 30, 1862	Wounded.

SIXTH REGIMENT, N. H. VOLUNTEERS—THREE YEARS.

	RANK WHEN MUSTERED.	RANK WHEN DISCHARGED.	CAUSE.
Thomas Horace Dearborn	Co. C, Sergt. Nov. 27, 1861	Captain, Nov. 27 1864	Expiration term of service.
James Elkins	" " Musician, " 27, "	Musician, June 24, 1862	Disability.
Andrew Jackson Davis	" " Private " 27, "	Private, Nov. 28, 1864	Expiration term of service.

On the call for troops in 1861, T. H. Dearborn joined the Second Company of Boston Fusileers, and also entered a school for military instruction, under French officers; but, soon after, enlisted at Seabrook, in the Sixth regiment. He was never away from his regiment during active service; was wounded at Chantilly, September 1, 1862.

SEVENTH REGIMENT, N. H. VOLUNTEERS—THREE YEARS.

	RANK WHEN MUSTERED.	RANK WHEN DISCHARGED.	CAUSE.
Wyman Dearborn	Co. K, Priv. Dec. 11, 1861	Private, June 26, 1862	Disability.

EIGHTH REGIMENT, N. H. VOLUNTEERS—THREE YEARS.

	RANK WHEN MUSTERED.	RANK WHEN DISCHARGED.	CAUSE.
John Carr Davis	Co. B, Priv. Nov. 22, 1861	Private, Jan. 17, 1865	Expiration term of service.
*Charles Henry Davis	" " " Dec. 26, "	" " " 1864	Missed.

As nothing has ever been heard from C. H. Davis, it is supposed he was captured, and died, while in the enemy's hands.

NINTH REGIMENT, N. H. VOLUNTEERS—THREE YEARS.

	RANK WHEN MUSTERED.	RANK WHEN DISCHARGED.	CAUSE.
*David Godfrey	Co. G, Priv. May 17, 1864	Private Oct. 23, 1864	Died of disease.

ELEVENTH REGIMENT, N. H. VOLUNTEERS—THREE YEARS.

	RANK WHEN MUSTERED.	RANK WHEN DISCHARGED.	CAUSE.
Frank K. Stratton	Chaplain, Sept. 2, 1863	Chaplain, May 5, 1865	Resigned.
David Allen Moulton	Co. I, Corp. " 2, "	Sergeant, June 4, 1865	Wounded. Close of war.
*Jeremiah Batchelder	" " Priv. " 2, "	Private, July 20, 1864	Missed in action, at battle of the Mine.

FOURTEENTH REGIMENT, N. H. VOLUNTEERS—THREE YEARS.

	RANK WHEN MUSTERED.	RANK WHEN DISCHARGED.	CAUSE.
*John Calvin Perkins	Co. D, Sergt. Sept. 23, 1863	Sergeant, May 23, 1865	Disability.
*Samuel Sherburne Page	" " Corp. " 23, "	Corporal, July 5, "	Close of war.
Parker Alvin Emery	" " Priv. " 23, "	Private, " 18, "	Wounded. Close of war.
Jacob Tallant Godfrey	" " " " 23, "	" " 8, "	Close of war.
Oliver Hobbs Godfrey	" " " " 23, "	" " 8, "	" " "
*James Albert Gillespie	" " " " 23, "	" " 7, "	Wounded. Close of war.
Patrick Heffron	" " " " 23, "	" " 8, "	Close of war.
Otis Horace Marston	" " " " 23, "	" " 8, "	" " "
*Melbern Marston	" " " " 23, "	" Sept. 19, 1864	Killed in action.

John C. Perkins was absent, sick, and discharged from hospital, May 22, 1865. Samuel S. Page was captured and confined, for a time, in Libby prison. Parker A. Emery and James A. Gillespie were wounded and transferred to Veteran Reserve Corps, and thence discharged.

FIFTEENTH REGIMENT, N. H. VOLUNTEERS—NINE MONTHS.

	RANK WHEN MUSTERED.	RANK WHEN DISCHARGED.	CAUSE.
David Frank Nudd	Co. I, Sergt. Oct. 24, 1862	Sergeant, Aug. 18, 1863	Exp't'n term of service.
Arthur Batchelder Blake	" " Priv. " 24, "	Private, " 18, "	" "
*Thomas Dunbrack, Jr.	" " " " 24, "	" " 18, "	" "
*Jonathan Elkins	" " " " 24, "	" " 18, "	" "
Jeremiah Leavitt Godfrey	" " " " 24, "	" " 18, "	" "
Charles Godfrey	" " " " 21, "	" " 18, "	" "
Benj. Franklin Goodwin	" " " " 21, "	" " 18, "	" "
George William Leavitt	" " " " 24, "	" " 18, "	" "
Robert Bruce Laird	" " " " 24, "	" " 18, "	" "
*John Dow Lamprey	" " " " 21, "	" May 27, "	Killed in action.
Charles Gregg Perkins	" K, " " 16, "	" Aug. 18, "	Exp't'n term of service.

C. G. Perkins also served, during the war, in the First Regiment, Maine Cavalry.

SIXTEENTH REGIMENT, N. H. VOLUNTEERS—NINE MONTHS.

	RANK WHEN MUSTERED.	RANK WHEN DISCHARGED.	CAUSE.
Edwin Johnson Hobbs	Co. K, Sergt. Oct. 25, 1862	Sergeant, Aug. 20, 1863	Exp't'n term of service.
*Theodore Fisher	" " Priv. " 25, "	Private, June 15, "	Died of disease.
*Charles Moses Perkins	" " " " 25, "	" Aug. 20, "	Exp't'n term of service.
Josiah Darwin Perkins	" " " Nov. 13, "	" " 20, "	" "

SEVENTEENTH REGIMENT, N. H. VOLUNTEERS—NINE MONTHS.

	RANK WHEN MUSTERED.	RANK WHEN DISCHARGED.	CAUSE.
James Warren Perkins	Sergt. Maj., Dec. 18, 1862	Sergt. Maj., Apr. 18, 1863	Regt. not mustered.

J. W. Perkins enlisted first, June 24, 1862, for three months, in First Squadron, R. I. Cavalry. The Seventeenth N. H., not being completed, was not mustered, and he finally enlisted in the Sixtieth Mass., Nov. 30, 1864, for 100 days.

EIGHTEENTH REGIMENT, N. H. VOLUNTEERS—ONE YEAR.

	RANK WHEN MUSTERED.	RANK WHEN DISCHARGED.	CAUSE.
Orlando Lawrence Blake	Co. G, Priv. Jan. 6, 1865	Private July 29, 1865	Close of war.
John Wesley Mace	" " " " 7, "	" " 29, "	" " "
John Wyman Lewis	" D, " Sept. 20, 1864	" June 10, "	" " "

NEW HAMPSHIRE BATTALION, FIRST REGIMENT, NEW ENGLAND CAVALRY;
AFTERWARDS, FIRST N. H. CAVALRY—THREE YEARS.

	RANK WHEN MUSTERED.	RANK WHEN DISCHARGED.	CAUSE.
*George Dearborn	Troop M, Priv. Dec. 24, 1861	Private, missed in action Oct. 12, 1863	Died at Andersonville Prison, July 25, 1864.
*Morris Hobbs Godfrey	Troop M, Priv. Jan. 8, 1862	Private, July 2, 1864	Re-enl'd Jan. 5, 1864. Died from sun-stroke in Va. July 2, 1864.
John Wymann Lewis Edwin Dearborn Lamprey	Troop M, Priv. Jan. 20, 1863 " " " Feb. 17, "	Private, June 25, 1863 " Nov. 17, "	Disability. "

FIRST REGIMENT, N. H. VOLUNTEER HEAVY ARTILLERY—ONE YEAR.

	RANK WHEN MUSTERED.	RANK WHEN DISCHARGED.	CAUSE.
Horatio Nelson T. Blake	Co. K, Priv. Sept. 17, 1864	Private June 15, 1865	Close of war.
*Willoughby Toppan Blake	" " " " 17, "	" " 15, "	" " "
Arthur Batchelder Blake	" " " " 17, "	" " 15, "	" " "
Charles Warren Brown	" " " " 17, "	" " 15, "	" " "
*Charles William Drake	" " " " 17, "	" " 15, "	" " "
*George Orlorne Leavitt	" " " " 17, "	" " 15, "	" " "
Daniel Young Moulton, Jr.	" " " " 17, "	" " 15, "	" " "
*David Brainerd Johnson	" " " " 17, "	" " 15, "	" " "
Joseph Averill Philbrick	" " " " 17, "	" " 15, "	" " "
Jeremiah Gilman Mace	" " " " 17, "	" " 15, "	" " "
Alonso Whipple Shaw	" " " " 17, "	" " 15, "	" " "
David Amos Towle	" " " " 17, "	" " 15, "	" " "

UNITED STATES NAVY AND MARINE.

*Everett Dearborn Blake.	Enlisted for three years,	Died of disease in service, July 29, 1863.
George Eldredge Blake.	" " " "	Served full term.
Thomas Seavey Blake.	" " " "	
*Jefferson Clinton Dunbar.	" " " "	" " "
Charles Godfrey.	" " one year.	

UNITED STATES NAVY AND MARINE. (Continued.)

*Daniel Godfrey.	Enlisted for three years.	Killed in action, May 27, 1863.
Charles Morris Hobbs.	" " " "	Served full term: Reenlisted.
Jason Lamprey.	" " " "	" " "
Lewis Swett Lamprey.	" " " "	" " "
John Sherburne Locke.	" " two "	
Joseph Warren Mace.	" " " "	
*John Hale Nudd.	" " three "	" " " Reenlisted.
Joseph Everett Riley.	" " " "	" " "
*Alonzo Mericam Stevens.	" " " "	" " "
*Frederic William Stevens.	" " " "	Remained in the marine service and died of disease in Panama, 1867.

THOSE SERVING IN OTHER THAN NEW HAMPSHIRE REGIMENTS.

NAME.	REGIMENT AND COMPANY.	REMARKS.
Jesse Alonzo Blake.	8th Mass. and a detached Co. Mass. Vols.	
*Jonathan Tuck Moulton.	1st Maine Cavalry.	Lost an arm.
*John Dole Palmer.	12th Mass.	Died in service, Jan. 17, 1864.
Samuel Palmer.	26th Mass. Co. I, Oct. 14, 1861, to Nov. 7, 1864.	
Josiah Page.	23d Mass. Co. A, Jan. 4, 1864, to June 26, 1865.	
*Edward Shaw Perkins.	30th Mass.	Killed in action, July 18, 1863.
Andrew Jackson Philbrick.	2d District of Columbia, three years.	
*David Towle Philbrook.	22d Mass.	Missed in action, at Gaines's Mills, Va., June 23, 1862.
*George Berry Wingate.	1st Mass. Cavalry.	Died in service, from disease contracted in Libby Prison, Va.
*Samuel Bagley Shaw.		
John Towle.	Enlisted Aug. 28, 1861, in Co. F., 19th Mass. for three years; transferred to Veteran Reserve Corps, Sept. 17th, 1863.	
George Edwin Palmer.	Enlisted Nov. 29, 1861, in Co. E., 24th Mass.	Discharged, expiration term of service, Nov. 30, 1864.
*John Walter Moore.	Enlisted Oct. 17, 1861, in Co. D, 30th Mass.	Died in service, July 12, 1863.
*Charles William Nudd.	Enlisted under name of Charles Williams, in the 69th New York.	Missed in action.
Thomas Leavitt Perkins.	Enlisted in Co. C, U. S. Battalion of Engineers, at West Point, N. Y., Dec. 3, 1861.	Honorably discharged, Dec. 1864.

THOSE SERVING IN OTHER THAN NEW HAMPSHIRE REGIMENTS. (*Continued.*)

NAME.	REGIMENT AND COMPANY.	REMARKS.
George Warren Towle.	Enlisted Oct. 9, 1862, in Co. F, 47th Mass. for nine months.	Honorably discharged, Sept. 1, 1863.
(*?) John Moulton Dow.	Enlisted July 8, 1861, in Co. K, 14th Mass. Regiment; afterwards the 1st Reg't Mass. Heavy Artillery.	Honorably discharged for disability, Aug. 8, 1864, with rank of 2d Lieut.
Jacob Harrison Moulton. ¹	Enlisted Sept., 1867, in Co. B. First Dragoons, U. S. Army. In 1861, the regiment was called First Cavalry Regiment. July, 1862, was appointed 2d Lieut. in the same Co., and Reg't. Breveted 1st Lieut. for gallantry in action, June, 1863, and commissioned 1st Lieut., July, 1864. Appointed Adjutant, May, 1865; Post Quarter-master, June, 1866; and Captain of Co. C. same regiment, April, 1867.	Honorably discharged, Jan. 1871, at reduction of the army.
Jeremiah Hobbs.	Enlisted Aug. 2, 1862, in Co. E, 8th New York, Heavy Artillery.	Discharged, expiration term of service, Aug., 1863, with rank of 2d Lieut.

The foregoing MEMORIAL RECORD of our soldiers and sailors, in the war of the Rebellion, was prepared by Lieut. William Ladd Dodge, a Hampton soldier of the Third Regiment, now of Topsfield, Mass.

His Recapitulation gives a total of one hundred eleven, in the army and navy for Hampton—of whom seventy-eight enlisted for three years; thirty-one were in service three years or more; twenty-six were killed or died in service; fifty-one are now dead (July, 1892).

A LIST, AS FAR AS CAN BE ASCERTAINED, OF THE NON-RESIDENT
SOLDIERS, ACCREDITED TO HAMPTON.

Walter Adams.	Frederick Frank.
George Allen.	John Garrigan.
Jacob Becker. ²	George Gilsa.
Richard Clark.	Peter J. Goblo.
Thomas Daley.	Richard Granville.
Peter Donley.	Michael Hallan.
John Duffie.	Charles J. Hart.
Luke Eagan.	George Hill.
Garret Farrel.	George W. Hough.
Edward Flagharly.	William W. Johnson.

¹ His name appears always as Harrison Moulton. [See Genealogies—Moulton (61)].

² Missing at Poplar Grove Church, Sept. 20, 1864.

Samuel Jonson	Gille Richel.
Thomas Knights.	Juel Richel.
Henry Lawrence.	Stephen Rice. ⁴
Joseph Lewis.	Lorenzo A. Rogers. ⁵
Jon Loes.	Onton Saingele. ⁶
John Lucas.	Charles Sanford.
Schaler Lyan.	Joseph Shannon.
Michael McGuire.	Daniel Sheely.
William Mellen.	James Stuberfield.
Wallace F. Minton.	John Tracy.
Jeremiah Murphy. ¹	William Wattear. ²
Theodore S. Nimes. ³	John West.
Patrick Nolan.	Charles Williams.
Francis Nugent.	Peter Williams.
Edmund P. Palmer.	John Wilson.
Jacob L. Pike.*	Charles W. Winship.
Julius Pradan.	Michael J. Woods. ⁷
William Quinn. ³	Ira E. Wright.
David Rees.*	

STATISTICS OF THE EXPENSE TO HAMPTON AND CITIZENS FOR BOUNTIES
AND OTHER PUBLIC COSTS, FOR THE CIVIL WAR.⁸

In 1862.	The town of Hampton furnished 16 citizen volunteers for army and navy, for three years, giving to each a bounty of \$250, amounting to	\$4000.00
	Also, 19 men for nine months, at \$200,	8800.00
In 1863.	Under call of July, 12 citizens were drafted, and each received a town bounty of \$300,	8600.00
In 1863.	Under call of Oct. 16 th , 16 volunteers were procured by J. F. Williams, recruiting agent, at bounties, varying from \$525, to \$590, amounting in the aggregate, to	9310.82
In 1864.	Under call of March, 6 reenlisted soldiers each received a bounty of \$250,	1500.00
	Under same call, 4 citizens were drafted, and each received a bounty of \$300,	1200.00

* Deserted.

¹ Killed at Cold Harbor, June 7, 1861.

² Missing at Cold Harbor, June 3, 1861.

³ Missing at Cold Harbor, June 3, 1861.

⁴ Killed at Petersburg, June 17, 1861.

⁵ Died of wounds, Jan. 22, 1863.

⁶ Died of starvation, in Andersonville Prison, July 14, 1864.

⁷ Missing at Poplar Grove Church, Sept. 30, 1864.

⁸ Furnished by Jacob T. Brown, Chairman of Selectmen, in 1865.

In 1864. Under call of July, 4 enrolled citizens furnished substitutes, each receiving a bounty of \$300,	\$1200 00
Under same call, 3 volunteers each received a bounty of \$300,	900.00
Under same call, 17 citizens each received a bounty of \$600,	10200.00
In 1864. Under call of Dec. 16, enrolled men each put in a substitute, and received a bounty of \$300,	4800.00
Total town bounties paid to 118 men,	<u>40,510.82</u>
The town agent was paid for military purposes, in 1863,	30.00
The town agent was paid for military purposes, in 1864,	242.02
The selectmen were paid for services occasioned by the Rebellion, in 1863,	57.00
The selectmen were paid for services occasioned by the Rebellion, in 1864,	255.00
Total cost to town,	<u>\$41,094.84</u>
The town also advanced, for the United States bounties, due from the United States Government, \$3740.	
The 12 drafted men, under the call of July, 1863, each put in a substitute, at an individual cost, varying from \$100 to \$110, amounting in the aggregate, to	1250.00
Three of the drafted men, under the call of March, 1864, put in substitutes at a cost of \$300 each,	900.00
The four men, under the call of July, 1864, who put in substitutes, were at an individual cost, in the aggregate, of	865.00
The 16 men, under the call of Dec, 1864, who put in substitutes, were at an individual cost, varying from \$100 to \$110, amounting to	1878.00
Total cost to individuals,	<u>\$4893.00</u>
Thirty or more volunteers enlisted for Hampton, without bounty, 25	

of whom were in Co. D, 8d N. H. Reg't; 2 in the Cavalry; and 2 or more, in the 5th N. H. Reg't.

The four enrolled citizens, who, not being drafted, furnished substitutes, under the call of July, 1864, were:

Jacob T. Brown.	Jacob T. Wallace.
John A. James.	James P. Williams.

The sixteen enrolled citizens, who, not being drafted, furnished substitutes under the call of December, 1864, were:

David A. Bean.	Horace Hobbs.
Albert D. Brown.	Washington H. Hobbs.
Harvey Brown.	John P. Hoyt.
Horace Brown.	Morrill M. Lamprey.
John Brown, Jr.	Samuel J. Philbrick.
Aiken S. Coffin.	Thomas Philbrook.
John H. Fogg.	Christopher G. Toppan.
Edwin J. Hobbs.	Samuel A. Towle.

JOSEPH F. WILLIAMS was a *Special Recruiting Agent*, during the war. His commission, for the First Congressional District of New Hampshire, dated November 19, 1863, was afterwards extended to cover the state. It was signed, EDWARD W. HINKS, Provost Marshal General of New Hampshire. Mr. Williams also became an *Authorized and Registered Recruiting Agent* for the state of Massachusetts—Commission dated, November 30, 1864; signed, F. M. CLARKE, Acting Assistant Provost Marshal General.

PERKINS POST, NO. 78, G. A. R.

The surviving soldiers of Hampton and the adjoining towns, for the purpose of preserving the friendship formed amid the scenes of war; to assist their disabled and suffering comrades; to perpetuate the memory of the heroic dead; and to care for their widows and orphans, were organized as a Post of the Grand Army of the Republic, on the 12th day of May, 1884, with twenty-five charter members. Subsequent additions brought the membership up to forty-seven. Eighteen of these members were comrades from Seabrook, who, owing to their long distance from the place of the Post meetings were, in 1887, honorably discharged, to institute a Post in their own town, thus reducing the number to twenty-nine. The Post has lost one by death, but recent additions make the present membership thirty-three, of whom three are residents of Salisbury, Mass., and three, of North Hampton.

This Post is designated "Perkins Post," in honor of nine comrades

of that name from this town, three of whom died in the service. Past Commanders are William E. Lane, William J. Breed, Samuel W. Dearborn, Andrew J. Philbrick ; present Commander, John W. Warner.

"Fraternity, Charity, Loyalty" are the broad foundation-stones on which this order rests.

Memorial Day was first publicly observed in Hampton, in 1882. Since the institution of the Post, this anniversary has ever been held sacred to the memory of her sons, who, having served their country in the army or navy have passed away from earth, to live henceforth in the hearts of a grateful people. The town appropriates seventy-five dollars annually, towards the cost for the ceremonies.

Three members of the Post have become citizens of Hampton, since the war, and are not mentioned in the foregoing record of Hampton soldiers. They are as follows :

John S. Gilman, enlisted at Portsmouth, Aug. 19, 1861, in Co. D, Third N. H. ; mustered out, Aug. 23, 1864, at Bermuda Hundred, Va.

Samuel P. Sargent, enlisted from Salem, N. H., Nov. 7, 1861, in Co. F, Seventh N. H. ; reenlisted, Feb. 28, 1864 ; mustered out, July 22, 1865.

Samuel T. Emery, enlisted for three years, from Lowell, Mass , May 11, 1861, in Co. A, Second Mass. ; discharged, sick, Dec. 19, 1862.

PERKINS RELIEF CORPS, NO. 46.

After the establishment of the Post, soldiers' wives and sisters and other patriotic women rendered such offices as they were able, informally, for several years ; and on the 15th of July, 1887, nineteen charter members became auxiliary as a Relief Corps. Mrs. Arabella S. Dearborn has been President from the beginning, except that in 1891, Mrs. Alfe L. Godfrey was President. The Corps has grown to a total membership of fifty-six, of whom one has died.

While this organization responds to the call of soldiers and their families, of the Post to which it is auxiliary, it seeks to reach a helping hand to others also, as opportunity offers.

CHAPTER XVIII.

OTHER NINETEENTH CENTURY HAPPENINGS. 1800-1892.

THE LIQUOR QUESTION.

PREVIOUS to the year 1800, very little stress was laid on the proper use or avoidance of intoxicating liquors. License to sell had indeed been required. As early as 1715, an Act of the General Assembly, in relation to licensed houses decreed, "That, to prevent Nurseries of Vice and Debauchery . . . there shall be a Limitation of Taverns or Ale-houses within the respective Towns or Parishes, to say: the town of Portsmouth, six; the town of Hampton, three; the town of Dover, three; the town of Exeter, two," and several others named. There is no doubt, that in former times, much liquor was used. On all public occasions, from house-raising to military musters and even religious convocations, it was drunk more or less freely. During the Revolution, immense quantities were consumed and no voice protested; and down through the years, licensed merchants and inn-keepers sold, and all classes bought and drank openly. Hospitable matrons mixed the bowl of toddy, to regale the minister on his parochial calls; children shared the tempting beverage with their elders. In 1801, there was an article in the warrant for our town meeting, "to see what the town will do relative to retailers;" and the meeting "dismissed that article."

But there came a time, when men began to see the demon in the cup. Rev. Mr. Webster, early in his ministry, espoused the cause of total abstinence. It is said, that his decisive stand was taken, on learning from his wife, that a brother minister, with whom he had exchanged pulpits, was almost too drunk to preach. Rev. Mr. French, of North Hampton, joined hands with Mr. Webster; others enlisted in the cause; and, though license was still granted, year after year, a temperance sentiment gradually took root and grew.

In 1820, in town meeting, a committee was chosen, to consult with the selectmen, as to "regulating taverners and retailers." They gave a *regulated* license, in accordance with the law of the state, which is on record: "To all persons" etc., "Know ye, that we, the undersigned, selectmen of Hampton, give and grant hereby, license to Maj. John

Lovering, of said Hampton, Trader, to sell by retail, wine, rum, gin, brandy and other spirituous liquors, that is to say, in less quantities than one gallon, but not less than one Quart, excepting brandy in case of sickness, to one pint, and not otherwise, but not to sell any mixed liquors, part of which are spirituous. Note, if the above-named Maj. John Lovering shall sell any spirituous liquor or suffer it to be sold within his precinct, to any person intoxicated, and diminishing their property by excessive drinking, or to any person whom the above-named selectmen or committee for that purpose shall forbid, or to children and young persons, in the habit of drinking to excess, those persons belonging to the town of Hampton, this license to [be] void and of none effect; otherwise, to remain in force one year from the date hereof." A special license, with larger liberty, was granted Major Lovering for Thursday, September 7, the same year, this license "to be of none effect before, neither after said day." This seems to have been a public occasion; possibly, "the great training." A license, the next year, "to David Nudd and Tristram Shaw, Traders," contained the further prohibition to sell to any persons, residents of Hampton, whom the selectmen should post as common tipplers.

Two young men, students in the Academy, son and nephew, respectively, of influential men, becoming imbued with the total abstinence idea, and by Mr. Webster's advice and coöperation, exerted themselves to obtain signatures to a pledge against the use of intoxicating drinks. Beginning with the father and the uncle and other men of the highest standing, they were enabled to advance the growing temperance sentiment of the community, and to obtain many names, from among all classes. To sign the pledge, in those days, "when everybody drank," was a severe test of devotion to an untried social reform.

At a town meeting, in July, 1830, the selectmen were instructed not to license any one as a retailer. It was voted also, "to enjoin it upon the selectmen, to prosecute every person whom they shall know to violate the laws of the state." The law, at this time, permitted the selectmen of towns to grant licenses, under certain specified restrictions. This vote to prosecute created an excitement, which resulted in the calling of a special town meeting the next month, when the opposition carried their point, in the votes, "That the selectmen be directed to license the store-keepers in this town to sell spirituous liquors in as small a quantity as a pint, provided they call for a license," and "That the town will not be answerable for any expense which may accrue in consequence of any prosecution, which may be brought by the selectmen or any other person against any store-keeper in the town, for selling spirituous liquors."

In 1833, the temperance party again prevailed. The granting of license was prohibited, and a formidable committee, to prosecute all violators of the law, elected, viz.: Jeremiah Hobbs, Amos Towle, Samuel Drake, Josiah Dearborn, Simon Towle, Jr., Edmund W. Toppan, James Leavitt and Josiah Dow, Jr. Further than this, a reward of five dollars was offered, for information leading to the conviction of any person for selling ardent spirits, contrary to law.

For several years, the scales vacillated between license and no license. In 1843, David Knowles was chosen agent, and clothed with ample powers to prosecute offenders.

The next year, on the fourth of July, a temperance convention was held on Boar's Head. The order of exercises, printed on an elaborately bordered sheet, two feet long, contains entire, several songs written for the occasion; announces an address "by Mr. Kellogg, the Buck-Eye Orator," with other speeches and band music.

But the greatest temperance convention ever held in this town was in 1849. This also was on the fourth of July. The Sunday-schools of Hampton, North Hampton, Hampton Falls and Seabrook gathered at the Congregational church, where pastors, French, Merrill, Fay and Abbott entertained them with short speeches, for a half-hour. Then they formed in procession in front of the church, joined by many citizens. Meanwhile, the Hampton and Hampton Falls Division of the Sons of Temperance had formed at their hall, in the Academy, and now, headed by the Newburyport brass band, with Dr. Sewall Brown, of Seabrook, for chief marshal, they marched to the church and escorted the long procession to an oak grove on Mr. Thomas Ward's estate, where a bountiful collation was served. Addresses were made by John Hawkins, a famous temperance orator from Baltimore, Rev. S. P. Fay and others. Nearly two thousand people participated in the day's exercises, which were closed by a display of fireworks.

The Sons of Temperance retained their organization here several years, dating from 1848, revived in 1866, and flourished a few months, till broken up by internal differences. In later years, temperance work has been somewhat spasmodic, but on the whole, progressive. A Woman's Christian Temperance Union was organized in 1883, which has held some influence, particularly in its chosen work of disseminating temperance principles among the young.

ST. JOHN'S COUNCIL, No. 50, KNIGHTS OF TEMPERANCE, composed of young men and boys, under the leadership of Dr. William T. Merrill, their generous patron, obtained their charter in May, 1888; and removed to their new hall, provided by Dr. Merrill, in October,

1889. From a charter membership of ten, they have come to number forty-eight, in 1892. None are admitted under fourteen years of age. Weekly meetings are held for members only, and a public meeting once a month. The hall is warmed and lighted, supplied with books and papers, and open to members at all times.

COVENANT COUNCIL, No. 5, ROYAL TEMPLARS OF TEMPERANCE, for both sexes and all ages, obtained their charter in June, 1889, and steadily increased in numbers, till, in 1891, there were one hundred members. The removal of the shoe business has diminished the number to about seventy. Their weekly meetings, in Odd Fellows' hall, are well attended, with good results. Life insurance and sick benefits are taken at option. During the epidemic of diphtheria, in the winter of 1890-91, the Council purchased a lot in the cemetery, and much grateful aid was rendered, in sickness and death.

THE COLD YEAR.

The year 1816 is remembered for its severity, characterized by frost every month of the year, and a snow-storm in June. Over a wide territory this condition prevailed, and the general description answers well for this locality.

According to the best records, the first two months were mild; March, cold and stormy. In April, a new winter set in. Sleet and snow fell on half the days of May. In June there was frost nearly every night. The snow was five inches deep for several days in succession in the interior of New York, and from ten inches to three feet in Vermont and Maine. Mr. Jonathan Perkins of Hampton had a field of corn up high enough for the first hoeing; but not a blade was in sight above the snow, when he went out the morning after the storm. July was cold and frosty, ice forming as thick as window panes in every one of the New England states. August was still worse, for ice formed nearly an inch in thickness and killed much vegetation in the United States and Europe.

In the spring of 1817, corn that had been kept over from the crop of 1815, sold for from five to ten dollars a bushel, for seed. Mr. Elisha Johnson, being a large dealer in grain, had corn on hand, but he refused to take the enormous price, preferring to share the loss with the producers. This was characteristic of the man.

THE PROPRIETORS OF THE HAMPTON LIBRARY.

Under this name was incorporated, in 1807, what has since been familiarly called the *old library*. It had already been established several years, the first meeting for choice of officers having been held

January 2, 1804. "Convinced that a social Library in this town may be attended with important benefits, both to the risen and rising generations," the originators had circulated a subscription paper, placing the terms of membership at two dollars a share, an annual tax of fifty cents, and in all affairs of the society, one vote for each share owned.

On that basis, the society was organized; and, at the meeting above mentioned, Rev. William Pidgeon, Rev. Jesse Appleton and Dr. Ebenezer Lawrence were chosen a committee, "to form regulations and purchase books for the library." Joshua Lane was elected treasurer; Col. Jonathan Garland, clerk; and Dr. Lawrence, librarian.

"Voted, to bind the books with leather."

"Voted, to give Samuel James twenty shillings and sixpence for a book-case."

Of the ninety-two proprietors, representing ninety-six shares, not one remains at this day. The memory of the old library is passing away; but, in its day, it was an active force, in a literary and religious influence, which, however, was limited, as a fine of fifty cents was exacted of any member, who should "lend a book to any person not dwelling in the same house."

The rules were not cumbersome. They provided for an annual meeting on the first Monday of January, and such other meetings as the committee should call, on nine days' notice, "by a paper affixed at each meeting-house" (Cong'l and Presb'n). The duties of officers, rights of proprietors, transfer of shares, fines, forfeitures and taxes were determined, and altered from time to time, as seemed expedient. In 1812 occurred a revision of the by-laws, from which date the librarian was also clerk. No treasurer was chosen after 1817, that office also, apparently passing to the librarian. Meetings were held, as convenient, at the houses of proprietors, and the stores of Stockman and Seaward. Votes were passed, year by year, that the preceptor of the Academy and "all the settled ministers of Hampton" have the free use of the library.

It was a modest little library, the first year's purchase being less than seventy volumes; but the modern public would deem it "heavy," and give it slight patronage. History and biography held a conspicuous place, but the books were largely theological and devotional. Only one volume of poems (Cowper's) appears in the whole catalogue; while *Robinson Crusoe* is the only book that can be called a novel till 1830, when the directors launched out into fiction, in the purchase of Scott's novels—forty-five volumes, for eighteen dollars.

Where the library was at first kept, is not now known—probably

at the house or store of the librarian in charge. While Mr. Seaward was librarian, it was kept at his store, which stood by the road, on the corner of the Perry field, next to Christopher G. Toppan's homestead. That building, by the way, was afterwards moved to Boar's Head, and is now the cottage, connected with the Hampton Beach Hotel. When Mr. Seaward left town, in 1845, the library was removed to the store of John Mason, who filled out Mr. Seaward's term as librarian, and the next year was himself chosen to the office. Librarians Knowles and Batchelder had it at their homes; and the last move was to the house of Jesse Lamprey, in 1853.

Judging from the records, a lively interest was maintained in the library, for a good many years; but at length, payments of taxes and fines began to lag, till, in the course of time, arrearages amounted to more than individuals found it convenient to pay, while their neglect crippled the society and lessened the yearly addition of new books. Then interest flagged; and so it came about, that, from 1848, the library slumbered for nearly six years. Then an effort was made to revive it; but in 1854, the society closed up its affairs and sold the books by auction. Some of them are still seen in private libraries, in their leather covers and printed labels.

Chosen	LIBRARIANS.	Retired	Chosen	TREASURERS.	Retired
1804	Ebenezer Lawrence.	1809	1804	Jo-hua Lane.	1809
1809	Edmund Toppan.	1811	1809	Dr. Ebenezer Lawrence.	1812
1811	Richard Greenleaf.	1814	1812	Jeremiah T. Marston.	1814
1814	Josiah Page.	1817	1814	Josiah Dow.	1815
1817	David Page.	1818	1815	Jeremiah T. Marston.	1816
1818	Moody Stockman.	1827	1816	Josiah Page.	1817
1827	John M. Seaward.	1830	1817	David Page.	
1830	Edmund W. Toppan.	1834			
1834	Jesse Knowles.	1837			
1837	John Batchelder.	1838		CLERKS	
1838	John M. Seaward.	1846	1804	Col. Jonathan Garland.	1806
1846	John Mason.	1848	1806	John Carroll.	1807
1848	Jeremiah M. Lamprey.		1807	Dr. Ebenezer Lawrence.	1812
1853	Jesse Lamprey.	1854	1812	Richard Greenleaf.	

FIRE COMPANY.

In January, 1833, a fire company, then recently organized, consisting of Josiah Dearborn, Edmund W. Toppan, Samuel Garland, Jr., Josiah Dow, Jr., David Marston, Thomas Ward and their associates, fifty in all, bought an engine, of the American Hydraulic Company, of Vermont, for two hundred twenty-five dollars, in shares, of five

dollars each. At the annual town meeting that year, liberty was given the company, to build an engine-house, on the school lot, in the center district. This house remained long after the fire company had become extinct and the engine abandoned, which result occurred after a few years, in which little service was required.

No public means of extinguishing fires now exist. The town did have, for some years, several sets of fire-hooks, in different localities, but even these are lost, for any practical use; and the bucket and well are mainly depended on in case of fire, which, happily, is of rare occurrence.

Under this state of things, the town has now and then trembled for its Records and valuable papers; but never to any practical purpose, till, in 1891, a fire-proof safe, weighing four tons, was placed in the town-house, at a cost of three hundred seventy-five dollars.

PRINTING OF TOWN ACCOUNTS.

In March, 1834, was the first record to have the town accounts printed, itemized. This was to be done immediately, and a copy given to each legal voter, "on or before September 20, next." Two years later, voted, "that the accounts for the current year be printed, before the next March meeting." This was probably the beginning of the present custom, of printing and distributing (one to each family) a few days before the annual meeting. Since 1860, the report of the superintendent of schools has been printed in the same pamphlet with the town accounts.

A FINANCIAL CRISIS.

The financial panic of 1837, though a national issue, belongs to the history of every town in the land, for none escaped its baleful effects. A surplus of nearly forty million dollars of government money, after the national debt had been liquidated, was distributed among the states, and, in New Hampshire, at least, loaned to the towns willing to receive it. Hampton at first voted not to receive the surplus money; but at a special town meeting, April 19, 1837, that vote was recalled and the town voted to receive their proportion of the public moneys of the United States, assigned to this town, by act of the Legislature of this state, approved January 18, 1837; and that the town pledge its faith for the safe keeping and repayment of the same, according to the terms of the act.

Voted, "that Daniel Towle, town treasurer, be agent, to receive of the state treasurer this town's proportion of said public moneys; and then, he is to loan it in sums not exceeding five hundred dollars, nor

less than one hundred dollars, to individuals, with satisfactory security; and all money remaining in his hands sixty days after the reception thereof, he may loan to some bank, for not less than five and one half per cent, or buy bank stock, as he may think proper."

After loaning to nine or more individuals, the remainder was invested in the Exeter bank, as indicated in Chapter XXV. The selectmen's accounts for that year are not now available; but the accounts presented at the annual town meeting in 1839, give the following figures:

Amount of notes in the treasury,	\$3395.00
Cash in Savings Bank at Exeter,	220.00
Stock in the Exeter Bank, estimated at, . . .	1200.00
Cash on hand, being part of the principal, . .	16.01
Total,	<hr/> \$4831.01

With money so easily obtained, men everywhere grew careless; speculation, especially in real estate, became rife; and, from the sale of public lands, the surplus continued to accumulate, till people were crazed with the golden visions dancing before their eyes. But this very measure of withdrawal of the public money from the banks and distribution among the states caused a general suspension of specie payments, paralysis of trade, business failures and universal distress. There were hard times in Hampton, as elsewhere.

In 1837, there were two hundred forty-one ratable polls in this town.

THE TWO HUNDREDTH ANNIVERSARY of the settlement of Hampton was observed on Tuesday, the 25th of December, 1838, by a public gathering in the meeting-house, with commemorative services. Joseph Dow, then preceptor of the Academy, delivered an historical address, which was afterwards published; and the ministers of Hampton, North Hampton and Greenland took part in the exercises.

PLAN OF HAMPTON.

At the annual town meeting, March 14, 1837, the following vote had been passed: "That Josiah Marston be employed to make a survey of the roads in the town, and to draw a plan of the same, to be deposited with the town clerk, for the use of the town." Accordingly, all the roads were surveyed by Mr. Marston, assisted by Edmund W. Toppan, who kept the minutes of the survey, and drew a plan of the work, which was lodged with the town clerk. At the annual meeting in 1840, the selectmen were instructed to make such corrections as they might think necessary in this plan, and have two hundred fifty copies engraved, for the families of the town. The selectmen having

applied to Joseph Dow, to aid in the revision, it was soon decided that a further survey was necessary, so that all the boundaries of the town and the miles of rivers should be shown upon the map. Mr. Dow was employed to make the surveys and drawings, and to prepare the map for the lithographer. The copies were procured and distributed among the families in 1841.

THE EASTERN RAILROAD.

It is only by comparison with earlier times, that we, of the present day, can be made to understand the revolution wrought by the railroad. The first attempt to facilitate the transportation of freight was by the slow-going canal. After the war of 1812-15, the people of New York, realizing that disasters had fallen upon us in consequence of inadequate means for transporting troops and supplies, and determined that no such exigencies should ever again be possible, set about the construction of the Erie Canal, which was opened in November, 1825. Other states followed, and the endeavor to obtain better intercommunication was thus inaugurated. In this same year, 1825, a steam locomotive began to be used on a short line in England. Soon after, the first railroad in the United States was built, about three miles long, for the purpose of transporting granite to the Neponset river, near Boston. On the fourth of July, 1828, ground was broken for the Baltimore and Ohio Railroad, the first long line undertaken. The first act in the ceremony was performed by Charles Carroll, of Carrollton, who said: "I consider this among the most important acts of my life, second only to that of signing the Declaration of Independence, if even second to that." This road was at first operated by horse power. An attempt to propel the trains by means of sails having failed, the company invited proposals for the construction of a steam engine, not to exceed three and one half tons in weight, and to be capable of drawing fifteen tons, on a level road, fifteen miles an hour. The first locomotive built in this country, and the second in use in it, was for the South Carolina Railroad, opened in 1833; and was named "The Best Friend of Charleston." All the early roads had tracks of wood, thinly covered with iron, laid on longitudinal sills; but from these rude beginnings have grown the mighty railway systems of the world. In New England, there were no considerable lines till, in 1835, the Boston and Worcester (forty-four miles), the Boston and Providence (forty-one miles), and the Boston & Lowell (twenty-six miles), were opened.

Now we begin to comprehend the excitement, when the construction of the Eastern Railroad reached Hampton. Many of our people had

never seen a locomotive; the reports in the papers inspired some with curiosity and some with awe; while many opposed the coming of the infernal thing, with superstitious fear. It is said, that a woman refused to allow workmen to leave tools at her house, lest they "get agoing in the night." Landholders fought stoutly against the supposed ruin of their property. Progressive citizens, however, hailed the advent of the railroad, as the beginning of a new era.

The route of the road, as built through the town, is not the one first favored. Another route was surveyed, farther east in crossing the marshes, running through both Perkins farms, near the tide mill, intersecting the beach road just east of Mr. Uri Lamprey's house, and so to pass on through Little River and Rye, to Portsmouth. Various reasons are assigned for the change.

The road-bed over the marsh was begun with wheelbarrows and horse-carts, till enough gravel was deposited, to bear up a temporary track, when a gravel train was run to the source of supply, the cut above Capt. David A. Philbrick's house. The engine for this train, Dearborn Shaw brought, on the deck of a vessel, from Boston, sailing up the river to Birch Island bridge, whence it was hoisted to the track.

The crossing of the driftways and highways demanded care. In March, 1840, the town left to the discretion of the selectmen, the manner of crossing at Thomas Ward's and at James Towle's, as far as the town had control, but insisted on a bridge at the Drake Side crossing (which, however, was not obtained), and chose the selectmen and Capt. John Johnson, a committee, to treat with the railroad company, for the construction of a drawbridge at Birch Island, that the navigation of the river might not be impeded.

The year 1840 is memorable for the opening of the railroad to travel, though it was not completed till a year or two later. In 1844 the town demanded a bridge over the crossing near James Towle's, which was built and continues to the present day. The crossing on the Exeter road was never safe, till gates were erected in 1889.

With the advent of the railroad, travel increased, ideas broadened, trade advanced, property became more valuable. It is difficult now to realize the old order of things, when our farmers rode mostly on horseback. Sleds sometimes conveyed their families to church in winter, and horse-carts without springs, in summer. Abraham Marston owned the first cart on springs, which he sometimes let for hire. Wagons were introduced by James Leavitt and Richard Greenleaf. The two-wheeled chaise followed, then the carryall. The lumbering stage-coach was the only public conveyance. Into this primitive

order was suddenly introduced the railroad, and its dizzy rate, of *twenty miles an hour!*

In 1850 the town voted to raise twelve hundred dollars for town expenses, which was more, by two hundred dollars than had ever been voted before. In 1854 the amount was increased to sixteen hundred.

Hon. Uri Lamprey was chosen delegate to the Constitutional Convention, which met at Concord, November 8, 1850. Several amendments were framed, and submitted to the people in 1852, but all were rejected, except those relating to property qualifications for office-holders. Hampton voted yea. on these articles.

During the two decades, from 1840 to 1860 (in which two Presidents died in office), the settlement of the northern boundary, the acquisition of California and the discovery of gold, the annexation of Texas, the Mexican war, the ascendancy of the slave power, the Kansas troubles, the rise of the Republican party, were some of the issues which excited the nation at large; and in all these, the people of Hampton took intense interest. The children of those days, now in mature life, remember well the highly-wrought feelings of their elders as they made haste to open the newspapers and discuss their contents. The spread of the "gold fever" and the quick sympathies of the community, on the arrival of letters from the adventurers; the sad news of death in the mines; the return of the majority, some poorer, some richer than they went:—all these pass in review, with the clearness of recent scenes. As for the political questions of those exciting times, then, as now, men arrayed themselves warmly on one side and the other; but the greater number stood for the oppressed.

Meanwhile, men toiled as usual, on land and sea; churches were built and religious societies grew; the Academy was burned and rebuilt; Mr. Norris closed his twelve years' preceptorate, and "Squire" Edmund Toppan, his twelve years as postmaster, the one by removal from town, the other by death; the Ocean House was built and patronized; the telegraph came, with its astounding powers; the new cemetery, now, after the lapse of thirty-three years, white with marble memorials, witnessed its first interment;¹ the little world of town affairs moved on. Another year would see the renovation of the old meeting-house.

August 8, 1860, the old Marston house, the paternal homestead of

¹Charlotte Ann, aged nineteen, daughter of Meshech S. Akerman, buried January 2, 1860.

Mrs. Uri Lamprey, who inherited it, was struck by lightning and injured beyond repair. "The lightning struck on the west end, near the roof, and ran down to the ground, ripping off the clapboards, passing out and in, and completely riddling the end of the building. A child, abed in one of the chambers whose walls were shattered, miraculously escaped uninjured." Mrs. John Brown, an Irish tenant, was killed, at prayer. Having just remarked that, if she must die by lightning she would die praying, she dropped upon her knees. While in that attitude, the bolt fell. The house was built in 1690.

Land for the new cemetery, alluded to above, was bought in 1858, by Enoch P. Young, Uri Lamprey and Samuel D. Lane, committee for the town. A portion of it was laid out in 1859, and the remainder, in 1866, the fence being extended, to include the whole. In 1868 maple trees were set out on all sides. The western gateway was opened, and the hearse-house built in 1874. The next year, a new hearse was procured, for five hundred dollars; and a hearse for winter use, in 1883.

THE PUBLIC LIBRARY.

Scarcely was the war ended, when the great task was given the nation, to educate the three millions of emancipated negroes, hitherto kept in ignorance. Various commissions sprang up, societies already existing enlarged their work, the federal government established a Freedmen's Bureau; and, mostly from the North, teachers entered upon the new field. The first volunteers from Hampton were Misses Ellen A. Leavitt and Sarah E. Gillespie, both successful teachers at home, who were soon under commission for labor at Harper's Ferry, on the Governor Wise plantation. While waiting for orders, they exerted themselves, in conjunction with Mr. B. H. Weston, principal of the Academy, to establish a social library in Hampton. Though others heartily coöperated, to these three, principally, is due the existence of the library, whose benefits reach to the present day, and whose story we are now to trace.

The movement began early in 1865, and met with such ready response that one hundred fourteen shares were taken at three dollars each. The town gave free use of a room in the town-house, which was fitted up at the expense of the shareholders. The first purchase comprised about two hundred volumes, which number was more than doubled by donations, chiefly from Mr. Joseph Ballard, of Boston, long a landed proprietor and summer resident of Hampton. Before August, the *Hampton Library Association* was officered, domiciled, equipped and well started on its useful career. Simple rules and a small an-

nual assessment made membership easy, and every Saturday evening saw the library well patronized. Jacob T. Brown was the first president and Enoch P. Young, the first librarian.

Assessments and fines being insufficient, the association instituted courses of lectures, in the winters of 1867-8 and 1870-1, to add to the book purchasing fund; and in 1875 6, the "spelling-match" mania, which was epidemic in New England, attacked this town for the same end.

But alas! the library was too limited in its privileges and in course of years it declined. Very wisely, therefore, in the spring of 1881, the association voted to offer its books as a gift to the town, for the foundation of a free public library; very wisely, the town voted to accept the donation and fulfil the trust. George W. Brown and S. Albert Shaw on the part of the association, and a committee appointed by the selectmen of the town, completed the transfer, and framed the regulations, which have ever since prevailed.

The town annually appropriates one hundred dollars, appoints a purchasing committee, pays the librarian as a town officer and prints the financial report, with other town accounts. An attractive room in the remodeled town-house is a favorite resort on Wednesday evenings; and the FREE PUBLIC LIBRARY may justly be reckoned one of the educational institutions of the town. There are now about seven-teen hundred sixty volumes.

<i>Librarians.</i>	<i>Assistant Librarians.</i>	<i>Terms of Office.</i>
Enoch P. Young.	John P. Towle.	1865.
Joseph Johnson.	David O. Leavitt.	1866.
Samuel J. Philbrick.	Henry J. Perkins.	1867.
Lewis Perkins.	Chas. M. Batchelder.	1868.
George W. Brown.		1869-1871.
Henry J. Perkins.		1872.
S. Albert Shaw.		1874-1877.
Edward W. Leavitt.		1878.
S. Albert Shaw.		1879-present.

THE TOWLE LEGACIES.

Mr. John Philip Towle, a lifelong resident of Hampton, who died in 1870, gave, by his last will and testament, certain legacies to the town as follows:

"I give and bequeath to the Town of Hampton, as a permanent fund, the income of which shall be used in maintaining forever a convenient public watering-place, near the house of Cotton Brown, the sum of one hundred dollars.

"I also give and bequeath to the Town of Hampton, the sum of two thousand dollars, as a permanent fund, the principal of which shall be kept intact forever, and the income be annually expended, under the direction of the selectmen, or a committee appointed by them, for the benefit of deserving poor persons (who are not paupers), without distinction of sex, color or creed."

At the annual meeting, in March, 1871, the town passed resolutions of thanks and acceptance, and also, the following:

"*Resolved*, 'That the selectmen be authorized to invest the money thus received, in such a way as they may consider safe and profitable; and that they be required to keep a full and accurate account of all the receipts and expenditures from each of these funds, separately, in a suitable book, procured and used for that purpose exclusively; and that, for convenience' sake, the larger fund be called 'THE TOWLE FUND' and the smaller, 'THE WATER FUND'; and that, if the selectmen make any charges for their services in managing these funds, and appropriating the income, they shall not be paid from the income of said funds, but in the way as for other services.'"

These trusts have ever been sacredly kept; the selectmen have managed the Towle Fund with judgment and delicacy; and in the twenty years that have elapsed, many a family, in permanently straitened circumstances or temporarily unfortunate, has had cause to bless the generous donor. The good deed will reach forward into the remote future.

Mr. Towle was long an invalid; and, as he sat by his window, his sympathies were often awakened, on seeing thirsty horses led to the public watering-place near by, and turned empty away, because of a broken pump. The "water fund" is the outcome of those sympathies.

HAMPTON COURTS.

In 1875 a Police Court was established in Hampton, Charles M. Lamprey, Esq., Justice—which continued ten years, with occasional sittings; but, in 1885, the inhabitants having become convinced that a tribunal of this kind was not needed in Hampton, it was abolished by law.

In 1889 the Rockingham County Probate Court, held hitherto alternately at Exeter and Portsmouth, was established to be held also at Hampton, namely, on the fourth Tuesday of December and February, annually.

CONSTITUTIONAL CONVENTIONS OF '76 AND '88.

In 1876 the town voted, fifty-four to forty-one, in favor of revising

the State Constitution. Joseph Dow was elected delegate to the Constitutional Convention, which met at Concord, December 6. In the short space of ten days, its work was completed, and thirteen amendments submitted to the people; all but two of which were ratified at the annual town meetings the following spring. Hampton gave large majorities in favor of the eleven amendments. 'This was the convention, which made elections and sessions of the Legislature biennial, and changed the time of state elections, from March to November. All the towns have been visibly affected by these changes.

The only Constitutional Convention since 1876, was the one in November, 1885, also in Concord, to which Joseph Johnson was chosen delegate from Hampton. As one result, our farmer representatives have the busy month of June at home, and exercise the function of law-makers when the farm sleeps under winter snows.

TRAMPS.

The year 1878 is memorable, for the passage of General Marston's "tramp-law." For many years, our domain had been infested with hordes of vagabonds, strolling idly from town to town, begging or stealing their support, and often committing deeds of violence and lust. No picnic grove or berry pasture, no secluded road or lonely house was a safe resort for the unprotected. In Hampton, these vagrant tramps began to appear, about the year 1850. As transient paupers, they were provided by the selectmen, with food and lodging, and sent on their way. They were not numerous, however, the average annual cost to the town being but nine dollars and twenty-eight cents, for fourteen years. But, as in other countries, so here, war brought lawlessness and crime in its train. Tramps increased in numbers, banded together, instituted marks and signs, by which the whole fraternity might know at what houses to beg, where to plunder and what to avoid, had their regular "beats" and their fixed rendezvous, and were so well pleased with their fare in Hampton, that from 1864 to 1874, the average annual cost to the town was a hundred twenty-six dollars and thirty-one cents. Especially after the opening of what was facetiously called "the tramps' retreat," in 1870, where they were housed and fed so comfortably, that the fame thereof was signalled to remote points, the influx of tramps was so increased, that, in the one year, 1874, the town paid three hundred sixty-three dollars and seventy-five cents, for the entertainment of these guests. Then men rose up in their wrath, and said: *it shall not be!* The "retreat" was closed, and a tramp-house (somewhat better than a dog-kennel) substituted. This had a wonderful effect, and for the four

years, to 1878, brought the average down to forty-four dollars and forty-four cents. Then, through the efforts of Gen. Gilman Marston, the well-known law which bears his name was passed, and our tramping-house was sold for five dollars. The effect of the law was immediately apparent throughout the state; but the pest is not wholly exterminated, even now; and vagrancy of this kind has cost our town ten dollars and seventy-eight cents per year, since 1878.

THE TOWN FARM.

A sister and brother, in the north part of the town, Betsey and Samuel Dearborn, sole survivors of the family of Levi Dearborn, having become incapable of providing for themselves, were taken under guardianship, and Hon. Uri Lamprey appointed the town's agent, to manage their farm and their support. After the removal of the unfortunate wards, the town took possession of the Dearborn farm, in 1868, and received the revenues from it; and thereafter, it was called the TOWN FARM. This was sold for thirteen hundred dollars, to Mrs. Mary E. Ames, in 1879. The same year the town bought of James Lane, for one hundred fifty dollars, one acre of land for gravel for highways.

THE YELLOW DAY.

By this name is designated Tuesday, September 6, 1881, when all nature took on a glaring yellow hue, unlike anything ever before known. The epithet correctly describes the condition, and yet, paradoxical as it may seem, it was a dark day. The sun's disc was not visible. A smell of smoke pervaded the air. One could not discern the hands of a clock across an ordinary room, nor see to read away from the window. The glare produced pain in the eyes and an indescribable, sickly sensation. Though business was not generally suspended, it was carried on with difficulty. The next day was cloudless and intensely hot. The phenomenon was supposed to be due to forest fires in Canada, sending down smoke through peculiar atmospheric conditions, not to be explained.

ARBOR DAY.

The new festival, "Arbor Day," was first publicly observed in Hampton, in 1886, an act for its establishment having been passed the year previous. The governor's proclamation for its observance, Thursday, April 29, met with a somewhat hearty response in this town. Maples were set in the high-school yard and by the roadside along the

cemetery front, and pines, on the avenue on which the high-school building stands. Individuals have planted trees on each succeeding Arbor day.

THE OLD MEETING-HOUSE.

Situated on the north side of "The Ring," encircling the ancient "Meeting-house Green," still stands, though renovated and modernized, the building erected for a house of worship by the Congregationalists, in 1797, after the Presbyterians had appropriated the old meeting-house, the fourth in order, built on the opposite side of the green. When the opposing parties united, as related in our *Ecclesiastical History*, under the agreement of 1808, one sanctuary, the new one, again drew all the people together, and not only the old church, but the old spot, consecrated from the first settlement of the town, was deserted.

That summer, the glass was taken out and the windows boarded up; and, in the fall, the old house, built in 1719, was torn down, most of the lumber thrown into lots and sold by auction, and the ground cleared. Meanwhile, the new meeting-house was altered somewhat, to suit the new requirements; the owners of the "long pews" were given liberty to change them into "square pews," at their own expense; the "singing pews," were built out of material from the old church; and the house, painted. The selectmen had been instructed that year, to "pay over to a committee, to be appointed by the singers, thirty dollars, for the use of the singing in the town." Then, in November, it was ordered: "that the front of each gallery be made uniform with the four front, with banisters," and "that the men shall set in the front of the galleries, and the young men in the other seats, according to age." The pews on the floor of the house, and running around three sides, at the back of the galleries, were occupied by families, as at the present day; but later, and probably from the first, the long gallery seats, between the row of pews and the balustrade, were free; and the above regulation applied to all who were not otherwise accommodated.

It was a venerable array of elderly men, who looked down from those front seats in the high gallery. Each man, as he entered, reached over the balustrade and deposited his hat on a projecting shelf, all unconscious that the general effect would, for a lifetime, impress itself upon the boys of the day, as that of a second-hand hatter's shop. Boys were quick to note when a luckless hat dropped over and startled some one below; but fear of the stern tithing-men generally kept the merriment pent up for the time. The young men, arranged according to age, behind their elders on the west end; the women, on the east;

the few negroes, in their allotted northwest corner; and the "singing-pews," facing the pulpit, complete the picture of the galleries, as presented to us by memory or tradition. Winding stairs on either side led up into the high, urn-shaped pulpit, under the great sounding-board.

Not until 1811 was the steeple built. Two years before the old house was taken down, Colonels Garland and Shaw were chosen in town meeting, to exchange the old bell for a new one, to be not lighter than five hundred pounds nor heavier than six hundred; but we find no further action in regard to a bell, until this year 1811, when a committee of five were chosen, to make a plan and receive proposals for building the steeple, and also to ascertain the cost of a new bell, of not less than six hundred pounds nor more than eight hundred, the old bell to be turned in towards the payment. It is probable, therefore, that, for at least three years, there had been, for the only long interval since the settlement of the town, no bell to call the people together. Jeremiah Hobbs contracted to build the steeple, for eight hundred ninety dollars; and from a vote on the 2nd of December, "that the bell be rung at nine o'clock at night till next March meeting," we know that the purchase was promptly made. The ringing of the bell was put up to the lowest bidder, and secured by John Brown, for seven dollars.

From that time on, the nine o'clock bell became an institution, with the exception, for some years, that on Saturday and Sunday nights it should be rung at eight. Year after year, at the March meeting, the office of "saxon" was put up, with varying results, till, in 1839, it settled permanently on Samuel Harden, usually at from twenty five to thirty dollars. "Grandsir Harden," as he came to be called, in his old age, was long a familiar figure in his daily visits to the station, to keep his thick, old-fashioned watch regulated by railroad time. Let a tribute be here paid, to his twenty-three years' faithful service, as sexton for the town.

The noon bell was inaugurated in 1825, but only for the summer; later it was rung at noon from April 1 to November 1, and at nine from November to April. But in 1838, and thence onward, both noon and nine o'clock were signalled from the belfry, the year round.

In March, 1821, behold— an innovation! John Dow, James Leavitt, Esq., and Dr. Lawrence were chosen a committee, "to place the stove in the meeting-house, so as not to injure the meeting-house or any person who sits therein." Two months later the same committee were requested to "remove said stove out of the meeting-house, until next fall." Oh, the endurance of former generations! Who, of the

present day, would or could sit through the long service, morning and afternoon, each Sabbath day, from autumn to summer, in an absolutely unwarmed house? The little foot-stove of perforated tin, with its dish of live coals, brought from home or from a neighboring fireplace, kept the fortunate possessor from benumbing cold for a little while, and as long as the fire lasted, was sometimes slipped along from one to another in the pew; but it could have been but a sorry makeshift, against the rigor of a New England winter.

A vote of the town in 1831 is significant, as showing that the old denominational stiffness was relaxing. It was voted, "to give the ministers of other denominations liberty to preach in the meeting-house when not otherwise occupied." But, a poll being demanded, it was found to have passed by the somewhat narrow margin of fifty-seven to forty-three.

After the Congregational society removed to their new church, in 1844, it became necessary to renew the lease of the ground on which the old house stood, or make some other provision for a legal tenure. As a result of negotiations with Edmund W. Toppin, who owned the land, the town bought the site, for four hundred dollars. The next year, liberty to open the house for any other than town purposes was refused, and as these occurred but seldom, the building soon came to be a prey to vandalism, for the detection of which, rewards were offered. The temptation to ring the bell at improper times had always been a fruitful source of trouble,—so much so, that fines of considerable amount had been occasionally imposed; and at one annual meeting, the town had specified the days and hours on which the bell *should* be rung, by the sexton only, or by his order, "and at no other times, under penalty of fifty cents for each offense or neglect." Included in this order was: "on July 4, at sunrise, twelve and sunset," whence it seems that it was a patriotic principle, not a "jolly lark" to ring for Independence. Gradually, however, the boys captured the situation, when new rules were made and large fines required for violation.

In March, 1850, it was voted that the intermission between meetings on Sabbath days, be two hours, from April 1 to October 1, and the remainder of the year, one and a half hours. The town controlled the bell, and the churches conformed to this town regulation. The order has never been formally revoked, though for the last few years, the afternoon service has been for the most part, given up.

After the old Academy was burned, in 1851, and negotiations between town and trustees, to fit up the old meeting-house for a town-house and Academy had failed, small repairs were made, as needed, but no great work undertaken till, in 1855, a proposition was made to

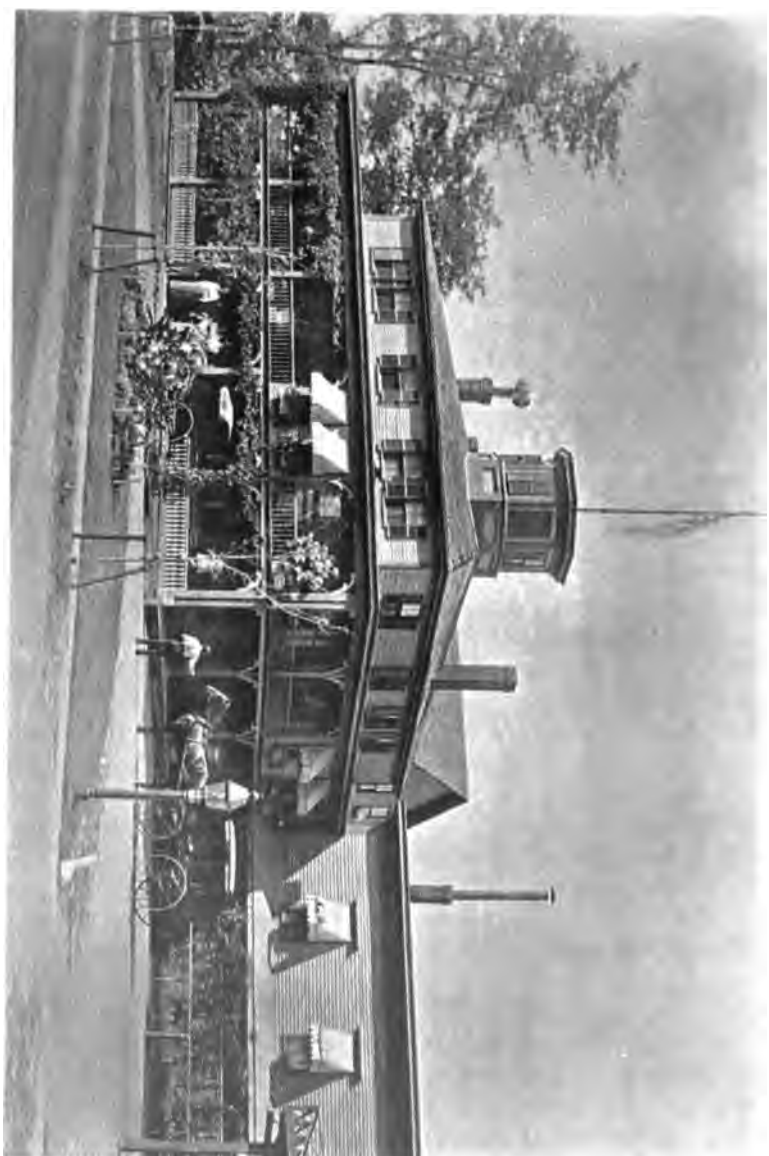
raise a thousand dollars for repairs and such alterations as would give a good hall and other needed rooms. But here interposed a difficulty growing out of the tenure of the property. It is related that, on the promontory of Kieman, in Switzerland, situate on the western side of the lake of Zug, is a forest, where "the land belongs to Lucerne, the wood belongs to the canton of Zug, and the leaves, to the canton of Sweitz."¹ So, formerly, this old meeting-house belonged to the town of Hampton, the site, to Mr. Toppan, and the pews, to individuals. The land having been purchased, there still remained the question of the rights of those pew-owners, who had declined to relinquish their pews, when the societies united, in 1808; and for the time, the matter of repairs was dropped. Another attempt the next year also failed; but in 1860, the scheme was enlarged and carried to successful completion.

At the annual town meeting, held in the *town house* (so called in the warrant for the first time, instead of "old Congregational meeting-house," as heretofore), David Towle, Jr., Thomas L. Marston, Daniel Y. Moulton, Morris Hobbs and Morrill M. Coffin were appointed a committee, to consider the several propositions made and report at an adjournment. Their report was adopted and the work done accordingly. Hon. Amos Tuck, of Exeter, Thomas Brown, Esq., of Hampton Falls, and John Lamprey, Esq., of North Hampton were chosen a committee, to appraise the pews; and the selectmen were instructed to tender to the pew holders the amount awarded by said committee, before any repairs should be commenced. They were authorized to hire a sum not exceeding twelve hundred dollars for the proposed repairs, for which they should levy on the tax-payers, two hundred dollars annually, till the required amount should be raised. The site was to be enlarged by purchase, the house turned end to the road, and the proposed alterations made, including an upper and a lower hall and several smaller rooms, the taking down of the corner tower and building a belfry from the roof, and all to be completed before the first of November. That done, the old bell, which had done good service for nearly fifty years, but was now regarded as quite too small, was exchanged for a new one, of fourteen hundred eighty-five pounds' weight.

In this style the town-house stood till 1888, when it was again radically made over, at a cost of about thirty-three hundred dollars.

The nine o'clock bell has been but a memory, since the spring of 1878; and in 1888, the noon bell also was discontinued, its place being supplied for a time by the steam whistles of saw-mill and shoe-shop.

¹Bucke's *Beauties of Nature*, I: 80.



HOTEL WHITTIER.

LEAVITT'S TAVERN—NOW, HOTEL WHITTIER.

Lieut. Jonathan Leavitt kept tavern many years, where the hotel in the village now stands. The date of opening is not preserved; but he was married in 1735, and very possibly began, not far from that time. The tavern was continued without interruption, by his son, Thomas Leavitt. He died in 1791, leaving a widow, who still carried it on, till their daughter, Nancy, was married to Josiah Dearborn, about 1803; after which, Mr. Dearborn was for many years, proprietor and landlord. He built the present house, probably about 1816 or '17.

The new house was called JOSIAH DEARBORN'S INN; and in later years, Mr. Dearborn having left his elder son in possession, and gone to blacksmithing, on the adjoining lot, it was designated as Samuel Dearborn's Inn. A short time previous to 1840, Oliver Godfrey and the late Alfred J. Batchelder leased the house, and named it, in honor of the railroad, then in course of construction, the RAIL-ROAD HOUSE. By this name it was known for some years, under different landlords, all leasing of the Dearborns.

In 1859 or 1860, Jared P. Whitcomb bought the premises, repaired, repainted and gave the name UNION HOUSE, by which the hotel has ever since been called, till it was changed to the present name, in 1890.

Mr. Whitcomb was succeeded in the proprietorship by *Bean & Whittier*, in 1864,—this firm, by *Smith & Whittier*;—and for the past ten or twelve years, Mr. Otis H. Whittier has been sole proprietor. He built a large wing in 1886, and the hotel can now accommodate from eighty to a hundred guests.

THE POST OFFICE.

As lately as 1811, the nearest post-offices were at Exeter and Portsmouth, the Hampton mail being brought by stage from the latter place. That year or the next, the post-office was established in Hampton, at the house of James Leavitt, Esq., who continued postmaster till 1837, when he was succeeded by Edmund Toppan, Esq., who removed the office to his house. There it remained till his death, in 1849. Edwin B. Lane was the next postmaster; followed successively by John A. Towle, Joseph W. Dow, Charles G. Marston, Jonathan T. Moulton, John C. Perkins, George T. Crane, John M. Akerman, Robert F. Laird, Myron W. Cole.

ROCKINGHAM LODGE, NO. 22, I. O. O. F.

[Sketch by Charles P. Akerman, Past Grand.]

Rockingham Lodge, No. 22, was instituted at Hampton Falls, in 1848, on petition of John F. Jones, Edward D. Pike, Charles C. Gove,

Elijah Valentine, John W. Dodge and Woodbury Masters—the first four persons being the charter members. The Lodge became dormant after four or five years, and so remained till 1878, when it was reinstituted, April 18th, with John F. Jones, Edward D. Pike, John L. Perkins, James Janvrin, George S. Merrill, Lewis S. Prescott, Albert J. Sanborn as charter members, and Charles P. Akerman, John M. Akerman, John P. Blake, Charles H. Chase, Charles F. Jones, Frank S. Greene, Nathan H. Robie, Charles L. Sanborn, Emmons B. Towle, Charles C. Green, as initiates.

The Lodge increased in numbers, having in its jurisdiction the towns of Hampton Falls, Hampton, North Hampton, part of Rye, Seabrook and Kensington. It having outgrown its quarters, a petition was preferred to the Grand Lodge, for removal to Hampton. After several hearings, this was granted, and in August, 1883, the Lodge-room, leased from the trustees of Hampton Academy, was dedicated for the purposes of Odd Fellowship.

The Lodge has been very successful. Its present membership is one hundred thirty, it having lost seven by death, and quite a number by withdrawal to other Lodges, and from other causes. It has a fund of over four thousand dollars.

Winnacunnet Rebekah Lodge was instituted October 5, 1885, and is successful in its purposes.

October 5, 1886, Hunto Encampment was instituted, and, in common with the other branches of the order, is meeting its share of success.

These different organizations are not merely benefit societies; but, to visit the sick, bury the dead and educate the orphans are the commands of laws, and the duties the fraternity try to perform.

WINNACUNNET COUNCIL, JUNIOR ORDER OF UNITED AMERICAN MECHANICS was instituted in Hampton, May 28, 1888, with fifteen charter members. The weekly meetings were held first, in Dunbar's hall; then, in the new J. A. Towle building, till, in 1889, Merrill's block was opened, in which a convenient hall was appropriated to their use. The Council numbers ninety-eight, in 1892.

To protect American principles and American-born citizens; to uphold the Federal Constitution, the free, unsectarian common school and the reading of the Bible therein; and to furnish sick and funeral benefits to members, are fundamental objects of the order.

Curtis DeLancey represented the seven Councils of New Hampshire at the National Council in Cleveland, O., in June, 1891.

Principal officers for the first half of 1892: Walter L. Drake, C.; Samuel S. Hawbolt, V. C.; John A. Moulton, R. S.; Curtis DeLancey, F. S.; Stephen G. Hobbs, T.

ECCLESIASTICAL.

CHAPTER XIX.

THE INTERWOVEN PASTORATES.

Rev. Stephen Bachiler, 1638-1641.

Rev. Timothy Dalton, 1639-1661.

Rev. John Wheelwright, 1647-1656.

Rev. Seaborn Cotton, 1657-1686.

FATHER AND FOUNDER OF THE TOWN.

A CAREFUL investigation will make it apparent, that the motives which led to the settlement of Hampton were not merely, nor mainly, of a mercenary character. The adventurers, who, in 1623, settled on the banks of the Piscataqua, may have gone thither, as has been said of them, to fish and to trade. It is equally true that the early inhabitants of this town engaged in fishing and in farming, if not in trade; but with the latter, these employments were resorted to for a livelihood, while their chief aim was to secure higher objects than the accumulation of wealth. In a word, they were PURITANS, of a kindred spirit with the Pilgrims of the Mayflower. They loved the ordinances of religion, and sought here to enjoy religious freedom and the rights of conscience which had been denied them in the land of their birth.

The practice of the first settlers of the town was in accordance with their professed principles. They brought with them the ordinances of the gospel; for it is a matter of record, that when the grant for a plantation was made by the General Court, some of the grantees were already "united together by church government." They also brought with them a pastor, Rev. Stephen Bachiler, who may justly be regarded as the father and founder of the town.

Mr. Bachiler was born in England about the year 1561, but at what place, is not known. It is also doubtful where he was educated; very possibly, at Cambridge, where many, with whom he appears to have been intimate, were known to have been. If the historians of Lynn are correct, he was of (so called) *gentle blood*; for Newhall, in his edition of Lewis' History of that town states, that, in Morgan's

"Sphere of Gentry" (1661) is figured the coat-of-arms of Rev. Stephen Bachiler, as follows: "Vert, a plough in fesse, and in base, the sun rising, or." This gives a possible clew to the interpretation of a letter written by him, in 1643, to the church in Boston, which will be noted presently.

Mr. Bachiler received orders in the established church; but being a reformer, and having the courage of his convictions, he refused to conform to some of the ceremonials of that church, and therefore "suffered much at the hands of the bishops." He became a Dissenter, and as a Dissenter went, with friends and followers, to Holland. Now, if the historian may be permitted to "read between the lines" of the letter, above mentioned, this would be the story of what immediately followed: A company was formed, of which Mr. Bachiler was the acknowledged leader, called, in his honor, *The Company of the Plough*, intending to come to New England in 1630, and settle in New Town (Cambridge), Mr. Bachiler to "sit down with them," "not as a Planter only but as a Pastor also." The church was organized and began its existence in Holland; and plans were so far perfected, that a ship was chartered and freighted; but "upon the disaster which happened to the goods of the company, by the false dealing of those entrusted by us with the Plough's ship and our goods therein," perhaps instigated by the persecuting bishops, all was lost and the emigration delayed. And so it happened, that the pastor's family returned to England, while his daughter Theodate and her husband, Christopher Hussey, both young and ardent, crossed the ocean to prepare a resting-place for her aged father and his church. This they found, as they fondly hoped, in Saugus (Lynn).

The above narrative, though not infallible history, is highly probable; but what follows is matter of record. Accompanied by some of his family, Mr. Bachiler sailed from London on the 9th of March, 1632, in the *William and Francis*, and arrived at Boston on the 5th of June. He went immediately to Lynn, where his son-in-law, Christopher Hussey, was already resident. There he began his ministry in New England, his church, organized in Holland, uniting with others, previously at Lynn, without asking permission, and without ceremony.

Now it must be premised, that many of the Puritans, persecuted in England, fled to these western shores, where they became in turn persecutors, as intolerant as their enemies across the sea. The ministers and magistrates formed a religious aristocracy, bigoted and domineering. Mr. Bachiler, a *liberal* Puritan, zealous for popular rights, and possibly too independent in maintaining them, soon became odious to this persecuting power. They sought a quarrel against him,

and found it in the manner of establishing his church. And now the magistrates of the colony required him "to forbear exercising his gifts as a past^r or teacher publicly," in Massachusetts, "unless it be to those hee brought with him; for his contempt of authority, & till some scandles be removed." The term *scandal* has been wrongly supposed to imply immoral conduct in Mr. Bachiler. It was probably nothing more than petty quarrels, growing partly out of his partiality, in baptizing his own grandson before another child, born a week earlier. This injunction was openly and strongly condemned by the liberal party, which was no inconsiderable one in the colony, and, five months later, the magistrates felt compelled to rescind it, though it does not appear that the victim had, in the meantime, made any acknowledgment of faults, to prepare the way for such an act.

Mr. Bachiler remained pastor of the church at Lynn till about the close of 1635. The church at that time had been considerably enlarged, and a controversy had arisen between him and a majority of the members. The grounds of this controversy are not stated; but as Mr. Bachiler was an *old* man, it is possible that his church may have been desirous of obtaining a younger or a more popular minister. The account given by Governor Winthrop seems to afford some ground for this supposition.¹ Mr. Bachiler asked a dismission for himself, and his first members, six or seven in number, who had come from England with him; and the church granted it, supposing that they would leave the town, for so, it was reported, Mr. Bachiler had intimated. On being dismissed, however, he and his brethren immediately renewed their old covenant, intending to raise another church there. At this "the most and chief of the town" were offended, for, as Governor Winthrop says, "it would cross their intentions of calling Mr. Peter or some other minister." They then complained to the magistrates, by whom he was forbidden "to proceed in any such church way until the cause were considered by the other ministers, etc." But Mr. Bachiler refused to desist, probably regarding the course of the magistrates as an unjustifiable interference with his affairs; and this independence, both in thinking and acting, may give a clew to the difficulties that arose from time to time between him and the government. In this case, the magistrates "sent for him, and upon his delay, day after day, the marshal was sent" to convey him to Boston. Being thus taken into custody, he submitted to the civil authority and gave a "promise to remove out of the town within three months." He was thereupon discharged.

This account of Mr. Bachiler's connection with the church and people of Lynn is given, partly for the purpose of showing that some of

the charges made against him may not have been well founded, having originated in the enmity of those who made them; and partly, because here, in the renewal of the church covenant at Lynn, near the close of the year 1635, we find the organization of the Hampton church.

From Lynn, Mr. Bachiler removed to Ipswich. In 1637, he and his company undertook to form a settlement at Mattakeese [Yarmouth] on Cape Cod. Governor Winthrop says that he was then "about seventy-six years of age; yet he went thither on foot in a very hard season," the distance from Ipswich being nearly one hundred miles. This enterprise was relinquished on account of the poverty of the company, and the difficulties that they had to encounter. In 1638, Mr. Bachiler and some or all of his company were at Newbury, and in the fall of that year settled at Winnacunnet.

According to tradition, a Meeting-house was built by those who formed the settlement, as soon as they had provided log-cabins for themselves. Like their houses, it was undoubtedly made of logs, but of its form and dimensions, we have no knowledge. It was built on the *Green*—near where the Academy afterwards stood—a site occupied by a succession of meeting-houses, till the early part of the present century. The people were called together for public worship, by the ringing of a bell,¹ as appears from the following vote, passed at the second town-meeting, November 27, 1639: "W^m Samborne (with his consent) is appointed to ring the bell before the meetings on the Lord's dayes & other dayes, for which he is to have 6^d p^r lott of eury one having a lott wthin the town." The bell, which was a present from the pastor,² was probably hung on a frame in the open air, or suspended from some tree, till another house was built, which was furnished with a tower.

In the spring of 1639, Mr. Timothy Dalton was associated with Mr. Bachiler in the work of the ministry, the latter holding the office of PASTOR, and the former, that of TEACHER. The great age of the pastor was probably the reason for employing another minister. But the connection was not an harmonious one. Both of the ministers were orthodox in sentiment, but they differed widely in practice, Mr. Bachiler being open and independent, and Mr. Dalton, in accord with the magistrates and elders. Mr. Bachiler was charged with immorality, but whether justly or unjustly is "not proven." He was excommunicated in 1641, and restored to the church in 1643, but not to the pastoral office. That he committed some imprudences is admitted;

¹In some towns a drum, and in others a conch supplied the place of a bell.

²Town records.

but as to anything worse, it is likelier that the old persecutions followed him. He himself, in the letter before mentioned, to the church in Boston, complains bitterly of Mr. Dalton, in the following words: "I see not how I can depart hence till I have (or I mean) God for me) cleared and vindicated the cause and wrongs I have suffered of the church I live yet in: that is from the Teacher (indeed) who hath don all and ben the caus: of all the dishonour that hath aecrew'd to God, shame to my selfe and grieve to all God's people, by his irregular proceedings and abuse of the power of the church in his hand, by the maior parte cleaveing to him, being his countrymen and acquaintance in old England. . . . The Teacher's act of his excommunicating me would prove the foulest matter, both for the cause alleged, of that excommunication, and the impulsive cause (even wrath and revenge) and also the manner of all his proceeding throughout to the very end; and lastly his keeping me still under bonds." Probably there was much hot temper on both sides. Each minister had partisans and friends in the town and in the church; but the larger number favored the teacher. Mr. Bachiler still remained in Hampton, and the difficulties and distractions among the inhabitants appear to have increased. Petitions and remonstrances in relation to these difficulties were sent to the General Court at the May session, in 1644. The Court appointed a committee with full power to hear and determine all matters in dispute among the people, but the action of the committee is not known.

About this time some of the people of Exeter proposed to form a new church and invite Mr. Bachiler to become their pastor, though he was then more than four-score years of age. For this purpose, they appointed a day, and gave notice thereof to the magistrates and churches. At this juncture, the General Court interfered: "Whereas it appears to this C^t, that some of the inhabitants of Excetter do intend shortly to gather a church & call Mr. Bachiler to be their minister, & forasmuch as the divisions & contentions w^{ch} are amonge the inhabitants there are ludged by this Co^t to bee such as for the p^{re}sent they cannot comfortably & wth app^{ro}bation p^{ro}ceed in so weighty & sacred affaires, it is therefore ordered, that direction shall be forthwth sent to the said inhabitants to deferr the gathering of any church, or other such p^{ro}ceeding untill this Co^t or the Co^t at Ipswich (upon further satisfaction of their reconciliation & fitnes) shall give allowance thereunto." To this order, the people of Exeter submitted, and did not proceed to gather a church.

Had the charges affecting the moral and christian character of Mr. Bachiler been substantiated, we can hardly suppose, that the people

of Exeter, a town adjoining Hampton, should be unacquainted with the fact, or that, knowing the fact, they would still invite him to become their minister. It is also worthy of notice, that in the order of the court, not the slightest allusion is made to any unfitness for the sacred office, on the part of Mr. Bachiler. The order is based entirely on the divisions among the people of Exeter.

Mr. Bachiler did not much longer remain in Hampton. His house and most of the contents having been destroyed by fire, he removed to Strawberry Bank (Portsmouth) where he lived from 1647 to 1650, and probably somewhat later. During this time he sued the town of Hampton for "wages" due for his services, and obtained a verdict in his favor; for it appears from the Records of the Norfolk Courts that the town sent a petition to the General Court "concerning Mr. Bachiler's executyon."

Concerning Mr. Bachiler's domestic relations in all these years, we know absolutely nothing. His wife, Helena, died, whether before or after his removal from Hampton is not certain; and he married, probably about 1648, his third wife, Mary, a widow (with children), who from mercenary motives, inveigled him into the marriage, in his extreme old age. But she proved to be a disreputable woman, and he separated from her. His old enemy, the civil power, ordered him to live with her, and fined him for not publishing his intention of marriage. Weary and disheartened, he could endure no more; and (probably in 1655), escorted by his grandson, Stephen Sanborn, returned to England.

Not even yet was the tongue of calumny silenced; for his bad wife sued for a divorce, in 1657, in order that she might be free to marry again, should opportunity offer, alleging that she was "credibly informed" that he had married a fourth wife in England. On no stronger testimony does this assertion rest.

"The ancient Stephen Bachiler, of Hampton, New Hampshire, died at Hackney, a Village and Parish in Middlesex, two miles from London, in 1660, in the one hundredth year of his age."¹

It is difficult to form a just estimate of Mr. Bachiler's character. Much of our information concerning him comes through the records of the acts of the magistrates and the General Court, or the writings of Governor Winthrop, with whom he was no favorite. His refusal to bow to unreasonable mandates made him enemies in high places, and his misfortunes followed as a natural sequence. But that he was a good and useful man, there can be no reasonable doubt.

¹Gen. Reg. XII: 373.

REV. TIMOTHY DALTON.

The second minister of the town, as has already been stated, was Rev. Timothy Dalton, born in England about the year 1577, graduated at Cambridge in 1613, and subsequently,—but at what time is uncertain—engaged in the work of the ministry in that country. He came to New England about the year 1637, being led hither, it is believed, by religious motives. On his arrival, he went first to Dedham, Mass., where he was made freeman Sept. 7, 1637, and probably removed to Hampton about a year and a half afterward, for we find that on the 7th of June, 1639, when the plantation was allowed to be a town, he was here as a freeman and also *teacher* of the church. His house-lot was on the southerly side of the meeting-house green, only a few rods from the meeting-house, and this lot, having been afterwards sold to the town, was ever after held and occupied as a parsonage till 1871.

Mr. Dalton must have been in good repute with the magistrates, for when about this time, there were disturbances at Dover, which, it was thought, required the interference of the civil power, he was commissioned, together with Mr. Simon Bradstreet, afterward Governor of Massachusetts, and Rev. Hugh Peters, then a minister of Salem, and subsequently a martyr to the cause of civil liberty, to go there and settle those difficulties; and, as Governor Winthrop remarks, “they brought matters to a peaceful end.”

At the time of his settlement at Hampton, Mr. Dalton was more than sixty years old. The aged pastor who preceded him, was dismissed, after having shared with him the labors of the ministry for two or three years, and Mr. Dalton was then left alone for the space of about six years, during which time he labored faithfully among his people, “even beyond his ability or strength of nature.” At length, through the infirmities of age, or by the failure of his health, he became unable longer to sustain all the cares and perform all the labors incident to the ministerial office in a new settlement, and the town undertook to provide an assistant. Two ministers were associated with him, in succession, the united period of whose labors covers nearly the whole time from the spring of 1647 till his death.

In the early part of his ministry, Mr. Dalton was not paid for his services by a stipulated salary, but he received from the town several grants of land, which were ultimately of considerable value. In 1639, as has been stated, he received 300 acres of land for a farm. This tract was in that part of the town, which is now Hampton Falls, at a place called Sagamore Hill, and embraced a considerable portion of the farms now owned and occupied by the sons of Reuben and Moses Batchelder. A farm, lying in the south part of the town, near Salis-

bury, was granted to Mr. Dalton's son, Timothy Dalton, Jr., who died soon after, when the farm came into his father's possession, and, on the 21st of January, 1652, was confirmed to him by a vote of the town. This act of the town, however, was based on the following condition: "that Mr. Dalton should free and discharge the town of Hampton from all debts and dues for his ministry till he had a set pay given him by the town." To this Mr. Dalton agreed, and a release was executed accordingly, five days after the confirmation of the last grant. In June, of the same year, this farm was sold to Isaac Perkins.

The records do not show how early Mr. Dalton began to receive a salary, though it appears to have been within a very few years after his settlement. Sometime previous to the first of May, 1645, John Moulton and Abraham Perkins had been appointed to gather up the teacher's rate. The time of their appointment is not recorded, but at the date just named, it appears that this rate was — some of it at least—still unpaid, and these persons were ordered to collect it by way of distress, within one month, or else forfeit 10s. apiece, to be forthwith taken by the constable.

In 1647 the town agreed upon a method of raising money for the support of the ministry. Of every £40 to be raised, each master of a family and each single man, working for himself, or taking wages, should pay 5s., the remainder to be raised on all estates equally, according to their value, of whatever they might consist, except corn, which was to be rate-free.

From about this time—whatever might have been his salary before—Mr. Dalton was to receive £40 a year; but another minister having been soon after associated with him, who probably performed nearly all the ministerial labor, he, four years afterward, released the town from the payment of his salary from midsummer, 1647, to midsummer, 1651.

Mr. Dalton's ministry continued till the close of his life, and during the whole time of its continuance he retained the appellation of *teacher*, which was given him at the time of his settlement, while the three ministers, with whom he was at different times associated, were all styled *pastors*. He died December 28, 1661, aged about eighty-four years. In recording his death, the town clerk styles him "a faithful and painful laborer in God's vineyard."

Mr. Dalton left no children. His wife, Ruth, outlived him several years. She died May 12, 1666, aged eighty eight years.

THE SECOND MEETING-HOUSE.

The Meeting-house first built appears to have been regarded from the beginning as only a temporary place of worship, to be succeeded by

a better one, as soon as the circumstances of the people would permit. Accordingly, they soon began to agitate the subject of erecting such a building. By vote of the town, the new house was to be forty feet in length, twenty-two in width, and thirteen in height, between joints, with a place for the bell, which was given by the pastor, as before stated.

The agreement with the contractor, Richard Knight, for building this house, was mutually subscribed by the parties on the 14th of September, 1640. Soon afterwards it was determined to defray the expense by voluntary contribution. The house was not wholly finished for several years. In July, 1644, persons were appointed to ask and receive the sums which were to be given towards building it, and, in case any should refuse to pay voluntarily, this committee was required to use all lawful means to compel them. The committee was further instructed to lay out upon the meeting-house, to the best advantage, the money they might raise. When this house was first occupied as a place of worship, is not known, but probably about the 1st of June, 1650—nearly ten years from the time the building was begun.

In 1649, liberty was given to certain persons to build a gallery at the west end of the meeting-house, and these persons, on their part, agreed to build the gallery, provided that the "foremost seat" should be appropriated to them, for their own use, and as their own property.

The meeting-houses first built in this town were without pews. They were constructed simply with seats; and for the purpose of preventing any disorder that might otherwise be occasioned, committees were from time to time appointed, to direct the people what seat each one might occupy. This was called "seating the meeting-house."

As a matter of curiosity, a few specimens of the seating are given:

"All the men to sett at the west end and all the women to sett at the east end of the meeting house and the devotion to be at the greet poest that is betwin the two windoes."

"men seettes—At the table, Rodger Shaw Cristofar Husse John Moulton Philemon dolton Robert Page Willyam Easto Willyam fuller Robert Tuck"

"second seett—hen grene hene dou steu Samborn tho louit wi fifeld Jo merean."

"wemanes seettes in the est end of the south side—Rodger Shaw for a wife John Moultons wife goody Marston goody tuck goody dolton goody page goody fuller."

"the ferst seett next mistris whelewrit—oukl mistris husse her dafter husse goody swaine goody Pebody goody brown mistris stanyen Mary Perkinges."

REV. JOHN WHEELWRIGHT.

The man first selected by the church and town, to assist Mr. Dalton, was Mr. John Wheelwright, the founder and first minister of Exeter, but then pastor of the church in Wells, in the province of Maine.

The contract between Mr. Wheelwright and the church, under date April 12, 1647, begins with a preamble, as follows :

"The church of Jesus Christ in Hampton haueing seriously considered the great paines & labours that the reverente & well-beloued M^r Tymothy Dalton haue taken among them in the worke of the ministry euen beyond his abilitie or strength of nater: And haueing upon sollemne seeking of God settled their thoughts upon the reverente & well-beloued M^r John Whelewright, of Wells, as a help in the worke of the Lord with the sayd M^r Dalton our p^rsent & faithfull Teacher: And haue[ing] given the sayd M^r Whelewright a call to that end, with the consent of the [w]hole towne; the which the sayd M^r Whelewright doe except off [accept of] according unto God:" therefore, the agreement was entered into, by which he was to haue a house-lot, and the farm which had once belonged to Mr. Bachiler, but which had been purchased by the town. This was to be given to him, his heirs and assigns, unless he should remove himself from them without liberty from the church. The church and town were also to pay some charges and give Mr. Wheelwright as a salary £40 per annum. The farm was afterward conveyed to him by deed, and in 1654, ten pounds were added to his salary.

As it appears from the receipts annually given by Mr. Wheelwright for his salary, that his year was considered as commencing on the 24th of June, it is not unlikely that at that time in the year 1647, he became pastor of the church by installation. But there is some uncertainty about the length of his ministry. The latest receipt for salary, entered upon the records, is for the year ending at midsummer, 1655, and there is no record of any vote after that time, to show that he still continued to preach, and perform other ministerial labors in the town. It is evident, however, that the pastoral relation contin-

ned to a somewhat later period, for near the close of the year 1656, the town voted as follows: "To seeke out for helpe for the minestry to helpe wth o^r teacher untill wee see how God will dispose of us in respect of our pasture [pastor]." This being the first act on the part of the town for procuring another minister, seems to indicate that Mr. Wheelwright had but recently suspended, or closed his labors here. It was then doubtful whether he would resume his labors. There is no record to show that he did resume them; and sometime the next year another person was employed, who not long afterward received ordination and became pastor of the church.

After leaving Hampton, Mr. Wheelwright went to England, where he was favorably received by the Protector, Oliver Cromwell, with whom he had been in early life associated at the University of Cambridge. While in England, he did not forget the people of Hampton, as appears from his letter to the church, April 20, 1658, in which he mentions an interview with Cromwell, "with whom," he writes, "I had discourse in private about the space of an hour. All his speeches seemed to me very orthodox and gracious."

After the accession of Charles II to the throne, Mr. Wheelwright returned to New England and became pastor of the church in Salisbury, Mass., where he remained till the close of life. He died November 15, 1679, being about 85 years of age, and the oldest pastor in New England. [See Genealogies—Wheelwright.]

Rev. John Wheelwright was of Lincolnshire, in England, and was born about five or six years before the close of the sixteenth century. "His ancestors, no doubt, were of respectable standing in society, for he inherited a considerable real estate, which he disposed of by his last will. His parents had the good sense to bestow a portion of their wealth in giving their son a learned education. He had bright parts, and in youth was remarkable for the boldness, zeal, and firmness of mind he displayed upon all occasions. He was educated for the ministry, but embracing the Puritan sentiments, he necessarily incurred the censure of the church for non-conformity."¹ He came to America in 1636—whether for the first time or not, we do not pretend to decide—and landed at Boston on the 26th of May. He and his wife were admitted to the church in that town, on the 12th of June following.

About the same time he was suspected of having embraced the Antinomian sentiments held by his sister-in-law, Mrs. Anne Hutchinson. Some efforts were made to have him called to be a teacher of the

¹ Judge Smith.

church of which he was a member; but this movement was opposed by Governor Winthrop, who said that "he thought reverently of his godliness and abilities, so as he could be content to live under such a ministry; yet seeing that he was apt to raise doubtful disputations, he could not consent to choose him to that place."

Mr. Wheelwright became pastor of a church near Mount Wollaston—now Quincy, but then a part of Boston. Near the beginning of the following year, a general fast was kept in all the churches, one of the reasons assigned being the dissensions in the churches. Mr. Wheelwright preached on that occasion a sermon, for some statements in which he was called into court. The sermon was produced, and "he justified it." The court adjudged him guilty of sedition and also of contempt.

Omitting whatever transpired relative to this difficulty during the next nine months, it remains to be told that by the General Court that met the next fall, Mr. Wheelwright "was disfranchised and banished," and ordered to leave the jurisdiction of the court within fourteen days. This he did, as he probably supposed, and having bought of the Indians a large tract of land around Squamscott falls, founded the town of Exeter, and became pastor of the church formed there in 1638. In 1642 the people of Exeter voluntarily placed themselves under the jurisdiction of Massachusetts.

Mr. Wheelwright, being still under sentence of banishment, removed to Wells, in the province of Maine. A considerable number of the members of his church accompanied, or soon after followed him to his new abode, and he still continued to be their minister.

After Mr. Wheelwright had been several months in Wells, he wrote a letter to Governor Winthrop, expressing his sorrow for the part he had taken in the controversy several years before, and his grief for the censorious speeches that he then used; and declaring his readiness to give satisfaction, if it should appear to him "by scripture light, that in any carriage, word or action," he had "walked contrary to rule."

"Upon this letter, the court was very well inclined to release his banishment; and thereupon ordered that he might have a safe conduct to come to the court, etc."

This inclination and act of the court having been made known to Mr. Wheelwright by the governor, he replied, March 1, 1644, by a very manly letter. While thankful for the safe conduct proffered, he thought it not expedient to appear before the court in person; for, while he adhered to the spirit of his recent letter, he could not condemn himself for such crimes and heresies as had been charged upon

him, which were the chief grounds of his banishment, but must hold himself free to make his defense.

Governor Winthrop, in reply, still advised his attendance at court, saying that though his liberty might be obtained without his personal appearance, yet that was doubtful.

Notwithstanding the doubt expressed by the governor, the next court released his banishment without his appearance.

In consequence of charges made against Mr. Wheelwright during his pastorate at Hampton, the town undertook his vindication. In town meeting, May 1, 1654, it was voted that the petition, framed and signed at that meeting for the vindication of Mr. Wheelwright's name, should be presented to the next General Court. The substance of their declaration, as given by Dr. Cotton Mather in the *Magnalia* is as follows :

"They, hearing that Mr. Wheelwright is, by Mr. Rutherford and Mr. Weld, rendered in some books printed by them as heretical and criminous, they now signify, that Mr. Wheelwright hath for these many years approved himself a sound, orthodox, and profitable minister of the gospel among these churches of Christ."

At the session of the court which commenced two days after the town meeting just named, the petition was presented, and considered, with this result :

"In Ans^r to the petiçon of the Inhabitants of Hampton. The Court doth declare, 'though they are not willing to recall those uncomfortable differences that formerly passed betwixt this Court and Mr. Wheelwright, concerning matters of religion or practice, nor doe they know w^t Mr. Rutherford, or Mr. Welde hath charged him wth, yett Judge meete to certify that Mr. Wheelwright hath long since given such satisfaction, both to the Court and Elders, generally, as that he is now, and so for many years have binn an officer in the church of Hampton, w^{thin} o^r jurisdicōn [Jurisdiction], and that w^{thout} offence to any, so farre as wee know ; and there, as we are informed, he hath binn an usefull and profitable Instrument of doing much good in that church.'"

After the excitement occasioned by the discussions about Antinomianism, and the conduct of the persons charged with having embraced that doctrine, had subsided, and the people were enabled to examine calmly and dispassionately the whole subject, the measures adopted by the government were generally thought to have been far too severe. Even at the time of the excitement, Governor Winthrop, although he favored the proceedings against Mr. Wheelwright, yet said publicly, that "he did love that brother's person, and did honor

the gifts and graces of God in him." Rev. John Cotton, of Boston, says: "I do conceive and profess, that our brother Wheelwright's doctrine is according to God, in the points controverted."—Dr. Cotton Mather speaks of him as "being a man that had the root of the matter in him."—Governor Hutchinson calls him "a zealous minister, of character both for learning and piety."—Dr. Belknap styles him "a gentleman of learning, piety and zeal."

Mr. Wheelwright's fast-day sermon, which occasioned his banishment, has been preserved. Hon. James Savage, of Boston, having read it, made the following declaration concerning it: "I unhesitatingly say, that it was not such as can justify the Court in their sentence for *sedition* and *contempt*, nor prevent the present age from regarding that proceeding as an example and a warning of the usual tyranny of ecclesiastical factions." Lastly, Judge Smith, of Exeter, after having carefully read this sermon, declared on the matter of sedition and contempt: "I have no hesitation in saying the charge was wholly groundless. There was not the *least color* for it."

REV. SEABORN COTTON.

After the retirement of Mr. Wheelwright from the pastorate of the church, the people were not long dependent on Mr. Dalton alone, for the performance of ministerial labor. Within a few months negotiations were entered into for obtaining the services and settlement of the individual, who afterward became their pastor. The first intimation of such a negotiation, furnished by the records, is the following vote passed in the spring of 1657: "It is ordered and agreed that Brother Page & Bro: Dow shall treat wth Mr. Bradstreet and with the Elders in the bay, to forder [further] the calling of Mr. Cotton according to former agreements." The person here referred to is Mr. Seaborn Cotton.

From this vote it is evident that this was not the *commencement* of the efforts made to secure his services. Mr. Bradstreet here mentioned was Mr. Cotton's father-in-law;¹ and hence the reason for desiring his influence in favor of Mr. Cotton becoming their minister. A few months afterward, we find the town engaged in providing a house for a minister; but we have no direct evidence that Mr. Cotton labored here until late in the next autumn. His receipt is on record for £65, for his maintenance for a year immediately previous to its date—November 24, 1658.

In the summer of 1658, the town voted to continue the sum of three

¹ Gov. Simon Bradstreet.

score pounds to Mr. Cotton for the next year, together with the use of the house and lands purchased of the teacher, and in time convenient to remove his goods, at the town's charge, to the said house. Mr. Cotton accepted the terms, and a contract was made accordingly. The time of his ordination is not known. Tradition assigns it to the year 1660. It is reasonably evident, however, that he received ordination soon after the agreement between himself and the town, or at least as early as the autumn of 1658.

There were no records of the church kept before the settlement of Mr. Seaborn Cotton; or, if any had been kept, they were lost before the close of his ministry. Nor have we anything more than a fragmentary record during his pastorate. A few memoranda found among his papers after his decease, and transcribed into a book of records by his son and successor, are all that have come down to us. This is greatly to be regretted, as it leaves us in a great measure ignorant of the true condition of the church for about half a century. We know not the number of members, nor the terms of membership; and all our information as to the officers of the church, must, of necessity, be gleaned from other sources, of which the town records are the most important.

From the memoranda just mentioned, we find that the *Half-way Covenant* had been introduced into the church; and from the number of persons that "owned" it in a given period, compared with the number that were admitted to full communion during the same period, it is probable that the former class far outnumbered the latter.

We know not the number of the former class; but Mr. Cotton has left a list of members in full communion on the 18th of September, 1671. The whole number at that time was 68, 30 males, and 38 females. The list is subjoined:

MALES.

Seaborn Cotton.	Henry Robey.
Christopher Hussey.	Thomas Ward.
Godfrey Dearborn.	Thomas Coleman.
Jno. Marian.	John Clifford, Senr.
W ^m Fuller.	John Clifford, Junr.
Abraham Perkins.	Anthony Stanyan.
Samuel Dalton.	Jn ^o . Cram.
Dea. Robert Page.	Thomas Webster.
Francis Page.	Benjamin Swett.
Thomas Marston.	John Cass.
Henry Moulton.	Nath ^l Weare.
Thomas Sleeper.	Thomas Philbrick.
Robert Smith.	Isaac Perkins.
Samuel Fogg.	Henry Dow.
William Sanborn.	Isaac Godfrey.

FEMALES.

• Frances Fuller.	• Goodwife Philbrick, Sen ^r .
• Sarah Perkins.	• " Fildfield.
• Mary Perkins.	• " Dow.
• Mrs. Dalton.	• " Cole.
• Goodwife Drake.	• " Smith.
• " Dearborn, Sen ^r .	• " Sanborn.
• " Dearborn, Jun ^r .	• " Clifford, Sen ^r .
• " Garland.	• " Clifford, Jun ^r .
• " Lewis [Leutt?].	• " Cram.
• " Wall.	• " Green.
• " Aborn.	• " Swett.
• " Marian.	• " Cass.
• " Robey.	• " Shaw.
• " Marston, Jun ^r .	• " Philbrick, Jun ^r .
• " Marston, Sen ^r .	• Mrs. Stanyau.
• " Hobbs.	• " Colcord.
• " Palmer.	Hannah Gove.
• " Batchelder.	Margaret Boan.
• " Sleeper.	Hannah Jennings.

From another record it appears that four of the men, and thirteen of the women enumerated in these lists, had been admitted by Mr. Cotton. One other man, Robert Drake, who was not at this time living, and two women, whose names are not given here, had also been admitted to full communion by him.

The arrangement of the seats in the meeting-house did not allow of families being seated together. A large number of children occupied seats in the gallery, and these must be cared for. Accordingly, in town meeting in February, 1664, it was ordered, "that two of the inhabitants of the town should sit in the gallery, to keep the youth in order in time of the public exercises, [and to see] that they keep their places and sit orderly and inoffensively." Under this arrangement, Thomas Sleeper and John Redman were to sit in the gallery the first Sabbath, and they were to give notice to John Brown and William Fildfield for the next Sabbath, "and so to take their turns about the town successively."

The constable was "to take care to see that the youth were all brought into the Meeting-house, to prevent their playing abroad in the time of the exercises, or profaning the Sabbath, and that the law of the country herein should be observed."

A few weeks afterward the following vote was passed: "The Towne haue voted & agreed y^t those y^t are willing to haue their children called forth to be catechised, shall give in their names to Mr. Cotton, for that end, between this & the second day of next month."

But the religious instruction of children was not restricted to this method of catechising by the minister. Parents and guardians were expected to teach those under their care, at least the principles of religion. An old law of Massachusetts required "that all masters of famlyes do once a weeke att least catechise theire children & servants in the grounds and principles of Religion, and if any be unable to doe so much, that then, at the least, they procure such children or apprentices to learne some short orthodox catechisme without book, that they may be able to answer to the questions that shall be propounded to them out of such catechisms, by their parents or masters, or any of the selectmen."

THE HALF-WAY COVENANT.

It has been stated, that the Half-way covenant was in use here during Mr. Cotton's ministry. When it was introduced, we have no record to inform us. From an isolated account of a church meeting on the 13th of January, 1667, it is evident that the church had already allowed it to be used. One principal object of this covenant was to allow those parents, who felt themselves unworthy to partake of the sacrament of the Lord's supper, to have the rite of baptism administered to their children. Adults, also, who had not been baptized in infancy, were admitted to baptism, on owning the covenant. Baptism appears to have been regarded by such as, in some sense, a saving ordinance. Hence the desire that many people manifested, to have the ordinance administered to themselves and their children. Those who had been baptized in infancy were considered as having such a connection with the church, as gave them a claim to the watchful care of all the members, and as exposed them to the censures of the church, when they were guilty of any immorality.

At the church meeting mentioned above, "it was unanimously agreed and ordered, that some of the brethren should be chosen to unite with the pastor in preparing adult church children connected with this church, for publicly owning their Lord, and renewing the covenant made with them, in and by their parents." This preparation was to be made by questioning, instructing and exhorting them. It was further agreed without a dissenting voice, that in cases of erring adult church children—that is, those who were twenty years old, or upwards—they should be dealt with as other members, for scandals, or clear breaches of the moral law. In two or three weeks from that time, five young men owned the covenant, and two weeks later, five others. In the course of a year, more than thirty persons owned the covenant, while a very few were admitted to full communion.

Mr. Cotton continued in the work of the ministry till his labors were terminated by his death, which occurred very suddenly on Tuesday, April 20, 1686, when he was in the fifty-third year of his age. His funeral took place the next Friday. On the following Sabbath, Rev. Samuel Phillips, of Rowley, Mass., preached to the bereaved people.

REV. SEABORN COTTON.

Seaborn Cotton was the eldest son of Rev. John Cotton, of Boston, one of the most distinguished of the early ministers of New England. He was born on the Atlantic Ocean, August 12, 1633, while his parents were on their voyage to America, and was baptized in the First church in Boston, on the 6th of September, two days after their arrival, and from the circumstance of his birth received the name of SEABORN. He graduated at Harvard College in 1651, and his name as Latinized in the Triennial Catalogues, is written *Murigena*.

Enjoying the advantages of his father's instructions until he was nineteen years of age, he was well prepared to enter on a course of theological studies; but the death of his father about that time, "deprived him of those stores of learning and experience for which the former was so eminently distinguished." His father's library, however, still remained to him. With whom he completed his theological course, and when he was licensed to preach we are not informed. The only place where he is known to have been employed as a minister, before his settlement in Hampton, is Windsor, in Connecticut.

Of the ministerial life and character of Mr. Cotton, we know but little. Indeed, there is hardly anything found in contemporary writers respecting him. His nephew, Dr. Cotton Mather, incidentally mentions his name, and says he "was esteemed a thorough scholar and an able preacher," and that "none of the lately revived heresies were more abominable to him than that of his namesake, Pelagius,"¹ a celebrated heresiarch of the fifth century. Dr. Mather also says that he was the author of a *Catechism*; but we know nothing of the character of this work, nor whether any copies are still extant. In 1673 he preached the Artillery Election Sermon, but it was not printed. A sketch of one of Mr. Cotton's sermons, taken by John Hull, Esq., one of the magistrates of the colony, is still preserved in manuscript. A volume of his sermons, in manuscript, is deposited in the library of the Massachusetts Historical Society.

There is reason to believe that Mr. Cotton and the people of his charge lived in harmony through the whole time of his ministry. In

¹ The name means *seaborn*.

one instance, indeed, he was obliged to suspend his labors a few Sabbaths. This interruption was occasioned by a message from Lieutenant-Governor Cranfield, that "when he had prepared his soul, he would come and demand the sacrament of him, as he had done at Portsmouth." Mr. Cotton being unwilling to administer the sacrament to an unsuitable person, or according to the "liturgy of the church of England," and wishing to avoid a controversy with the governor, withdrew to Boston, and remained there a few weeks, and then returned to his own people. This was in the early part of the year 1684. For refusing a similar demand not long before, Rev. Joshua Moody of Portsmouth had been imprisoned. He was still in prison when Mr. Cotton was staying in Boston. This circumstance probably led the latter to take for his text in a sermon that he preached in Boston, these words: "Peter therefore was kept in prison; but prayer was made without ceasing unto God for him."— Acts xiii: 5. This sermon gave considerable offense to Governor Cranfield and his friends, but the governor was prudent enough to leave Mr. Cotton unmolested.

A few months before Mr. Cotton's death, he sent to the Council of New Hampshire the following Petition:

"To the Honorable his Majesty's Council for the Province of New Hampshire. The Petition of Seaborne Cotton, of Hampton in the Province abovesaid,

Humbly Sheweth,

That whereas by an act of his Majesty's Council in this Province, bearing date, as I conceive, Dec. 10, 1683, the people in the several towns were left at their liberty whether they would pay their ministers, or no, after the first of January ensuing that act, unless their ministers would administer baptism and the Lord's supper to such as desired it, according to his Majesty's letter to the Massachusetts, which was never denied by me to any that orderly asked it; yet too many people have taken occasion thereby, both to withhold what was my due before that act, for the year 1683, as also for the year 1684, and are likely to do so for the year 1685, except this Honorable Council see cause to pass an act, and order the trustees of Hampton, that I may have my dues according to the town's compact upon record, and their agreement with myself many years since;— the time also drawing nigh, when for this present year I should have my rate made, doth hasten me to present this address, and to request your Honors' favor therein: if your Honors send an order to our trustees, your Honors may possibly see cause to omit the naming myself as

requesting it; all which I leave to your Honors' generous acceptance, and am your Honors'

Humbly devoted,
SEABORNE COTTON.

Hampton, Sept. 5, 1685."

In answer to this petition, the council ordered that "the Petitioner be left to the law to have his remedy against the persons he contracted with for his dues."

THE PARSONAGE.

When Mr. Cotton was about coming to Hampton, to engage in the work of the ministry, it became necessary for the town to provide him a dwelling-house. Accordingly, after the discussion of several plans, the town chose a committee, consisting of Roger Shaw, Robert Page and Thomas Marston, to treat with Mr. Dalton "concerning the accommodating of another minister both for housing and land;" and Thomas Marston, Thomas Ward, John Sanborn and William Moulton were chosen, "to repair the house which might be procured for Mr. Cotton's dwelling."

The negotiation with Mr. Dalton resulted in his selling to the church and town "for y^e use of y^e ministry forever," his dwelling-house and several tracts of land, and three shares in the cow-common, and one share in the ox-common, on the 28th day of December, 1657. This deed was not, as has sometimes been stated, a *deed of gift*, but it was given in consideration of "y^e sum of two hundred pounds sterling," to be paid "unto y^e Heirs, Executors & Administrat^{rs} of me y^e s^d Timothy Dalton," as follows, viz.: £20 within one year after his decease, and then £20 annually until the full sum of £200 should be paid, "in corn or cattell, att y^e current price, to be delivered at Hampton from time to time." That this consideration was not relinquished to the town is evident from the fact, that Mr. Dalton disposed of it otherwise, by bequests in his last will and testament.

From the property thus conveyed, originated the ministerial fund, the income of which has been used to aid in supporting the ministry, during several generations.

According to the terms of sale, the transfer of the property named in the deed was not to be made immediately, but after the death of the grantor, and after the crops that might then be upon the land should be gathered in. This transaction, then, failed to provide a house for the *immediate* use for Mr. Cotton. The town, therefore, had further negotiation with Mr. Dalton, which resulted in an agreement for the desired end.

Mr. Dalton had recently purchased of Thomas Moulton, a house which stood where the house of Walter J. Palmer now stands. The town engaged to make an addition to this, "to be equal in breadth with the old house, and to be 86 feet in length." This was to be built and finished at the town's charge, in the manner specified in the contract, so as to be as convenient for his use as the house he was then occupying. This being done, Mr. Dalton was to remove thither, and relinquish all claim to the house and lands where he then lived.

At the same time, the town agreed with Abraham Perkins, Joseph Merry and William Marston, to do all the carpenter work required to fulfill this contract, except the clapboarding and shingling, which were to be provided for in some other way, and they were to receive for their labor £20 "to bee payd in goods att Mr. Cuttses."¹ William Marston had been previously engaged by Robert Page, to build a mill, which he had contracted with the town to have completed at a specified time; but so urgent seemed the present case, that the town extended the time allowed for completing the mill a whole year, in order "to free Will: Marston for the worke abovesd."²

In the records of 1658, is the following entry, dated November 22 :

"The Towne hath agreed with Henry Smith, who lueth wth Mr. Cotton, that for the spase of one full yeere next insuing, hee shall keepe the key of the meeting-house & shall keepe the s^d metting House Decent and Cleane and shall Ringe the Bell eury Euening att nine of the clock,³ and upon the Sabath Dayes att eight & nine of the clock before the morning Exercise, and att one & two of the clock in the afternoon, and upon the lectur Daies before the lecture, all w^{ch} is to bee Constantly p^rformed throughout the yeere." For this service, he was to receive fifty shillings, to be paid by a special tax.

From the hours at which the bell was to be rung on the morning of the Sabbath, according to this agreement, we infer that the morning service began at nine o'clock, or soon after, and it did not probably close till about noon. The devotional exercises and the sermons at that time were much longer than they usually are at the present day.

On another occasion the town voted "that the fore seat in the gallery should be appropriated to the married men to sit in, until the town should take further order about it." Liberty was also granted to those who were to occupy this seat, "to sett up a backe to the s^d fore seate provided thatt itt bee not prejudiciall to the Hinmost seats."

Near the close of the year 1660, the town passed the following vote :

"Itt is agreed by the Towne y^t thear shall be a comittie of meett men

¹ Cutts of Portsmouth—merchant.

² Chap. xxxi: The First Sawmill.

³ Curfew bell.

appointed by the Towne to Rectifie the Sitting of men & women in the meeting-house, & to agree with workmen for the making of Seates whear they see meett, and in cause that any p^rson finds Himselfe Greeued [grieved] with his or her plaseing in the meeting-house, they shall haue liberty to make their complaint to the Towne, who shall be Ready to Relene [relieve] them—to bee determined by a vote of the majer part. The men appointed for the worke aboute s^d are Deacon Page, Deacon Godfrey & Henery Robey, who are to Request o^r Reuerend Elders [Mr. Dalton and Mr. Cotton] to bee helpe full to them so far as they shall please to attend the worke."

Itt is agreed y^t there shall bee forty shillings allowed for to plaster the Roof of our Teacher's House to keepe out the weather—to be Improued for the best aduantage for such an End." This house was probably the one that Mr. Dalton bought of Thomas Moulton, and which the town had agreed to enlarge and repair.

At a town meeting at the beginning of the following year, it was proposed to put the house and lands occupied by Mr. Cotton, in such a condition, that there need be no further expense to the town for fencing, building or repairing during his ministry. The sum of £20 was appropriated for the purpose.

HOGPEN FARM.

Sometime in the early part of Mr. Cotton's ministry—the date not known—the town agreed that he should have 200 acres of land granted to him for a farm. In the autumn of 1668, it was voted that this land should be laid out, and a committee was appointed for that purpose. The farm was not laid out, however, till five or six years afterward, and then, as appears by the return, March 19, 1669, not by the committee first chosen, but by John Sanborn, Thomas Marston and Henry Roby.

According to the return of the committee, the farm was located at a place called *Hogpen Plain*—in the present town of Kensington. They "laid out a meadow near that plain, having a brook in the meadow running northward out of it." About the middle of the meadow was a hill, and to the southeastward of the meadow was upland where they laid out a tract ninescore rods broad and ninescore rods long to make up the complement of the said grant.

Three years later, the town voted to maintain their grant of two hundred acres of land to o^r Reuered Pastor, Mr. Seaborn Cotton, according to the appointment of it and as it is laid out.

The town several times voted to increase Mr. Cotton's salary. On the 10th of January, 1668, it was increased to £80.

In 1665, agreeably to the request of the inhabitants living near the Falls river, and remote from the town, liberty was given for them to build a house at their own charge, "near the old Pound," for shelter and relief upon the Lord's day and other days, to be used by them at all times when there should be occasion for it.

Near the close of the year, the selectmen having made a bargain with some person to repair the meeting-house, the town voted that it should be "prosecuted with effect," and that the selectmen should "take further care to repaire the Roof & to daube up the Gable Ends, & whatt else is nessisary for to make the Meeting-house comfortable," and assess the whole charge upon the inhabitants.

THE THIRD MEETING-HOUSE.

In the year 1675, the work of building a new meeting-house was commenced, but several years passed away before it was so far completed as to be used as a place of public worship.

The first intimation found on record that such an enterprise was contemplated, is an order of the town, June 30, for the inhabitants to meet for the purpose of raising the frame. No statement is made regarding its form or size. The order is as follows: "Itt is ordered thatt all the Inhabitants of this town of Hampton, thatt are aboue the Age of 20 years shall Attend and Giue their assistance to Raise the new meeting house, who are to meete on two seuerall Dayes and to attend thatt worke: the first day all the towne y^e liue from Mr. Cottons House & so Round the town Eastward to the Lane by Hezron Leuitts and so forward to the Eastward of the parth to Pascataqua; and the second Day all the Rest of the Towne from the west side of Pascataqua way Round to Mr. Cottons House; & also all thatt liue on the other side of the marsh towards Salisburie:—and if any p^rson of the Age of 20 years doe faile of his appearance att the Ringing of the Bell at six of the clock in the morning, or within Half an Houre Afterward, Hee shall forfitt twelue pence in monie to bee forthwith payd, or else the constable to distraine."

The occurrence of an Indian war just at this time, and the consequent interruption of business—many of the people being called away from home in defense of the country, and those who remained, laboring in constant fear of the enemy—were very unfavorable to a speedy completion of the work, and but slow progress was made in finishing the house. The exact date of its occupancy for religious services, is not known; but that it was occupied as early as the spring of 1680 is almost certain, for at that time the selectmen were instructed to "take down the *old* Meeting-house and dispose of it for the town's use, according to their best judgment."

CHAPTER XX.

REV. JOHN COTTON'S MINISTRY. 1686-1710.

MR. COTTON, STATED SUPPLY.

THE death of the Rev. Seaborn Cotton left the people without a minister for the first time since the settlement of the town, a period of nearly forty-eight years. Having been so long favored with a faithful ministry, it cannot be supposed that they would now be content to remain very long destitute of the regular and constant ministrations of the Word; which is true, though it was several years before they again had a *settled pastor*.

Soon after the late pastor's death—no records show how soon—efforts began to be made to find a suitable successor. The first preacher known to have been employed, was MR. JOHN COTTON, the eldest son of the deceased pastor, a graduate of Harvard College, of the class of 1678, who, having been chosen a Fellow of the College, was living there at the time of his father's death. The same year he returned to Hampton, and was employed as a preacher. This fact does not appear from the town records, but is learned from other sources.

There is, however, in an entry on the records, made the next spring, an incidental mention of the seat at the desk, called *Mr. Cotton's seat*, implying that it was then occupied by him.

The record is in these words:

"Liberty was granted to Capt. Samuel Sherburne to build a seat for him and his wife and family, between the south door and the table, from the west side of the great post behind the south door of the meetinghouse, to the east side of the great post by the table, and so far forward as the two seats now come, provided he build it not so high as Mr. Cotton's seat is built."¹

¹At the same meeting the following vote was passed:

"It is acted by vote, that if any man's Dog shall come into y^e meetinghouse on Sabbath days, the owners of the sayd dogs shall pay a fine of one shilling a time, to be leuied by y^e Constable by a warrent from a Justice of peace."

"Their decents John Smith, taylor, John Smith, cooper, Abraham Cole, John Marston."

While the people were destitute of a *settled* minister, they were not unmindful of the conduct and habits of the young. At a town meeting in the fall of 1687, the following vote was passed: "That the constables for the time being shall take special care that the youth be kept from playing on the Sabbath, and if any children shall be found disorderly, their parents and masters shall first be informed, and if they shall not take care of them, but suffer them again to be found disorderly, complaint shall then be made to authority."

The first votes of the town *on record*, for employing Mr. Cotton are of a later date (May 21, 1688), but at that time, as was shown in Chapter V, town meetings were seldom holden, and it is probable that measures were taken by *the church*, for supplying the pulpit, for there is evidence that the church held meetings for business prior to the earliest church records extant. The town votes, just alluded to, were not to secure the services of Mr. Cotton, as a *candidate for settlement*, but for inviting him *to be inducted into the pastoral office by ordination*. One of the votes was, "that Mr. Henry Green and William Fuller should treat with Mr. John Cotton, to know his mind whether he would be willing to settle here in the work of the ministry, and be ordained." The other vote is thus recorded: "The town did act by vote to show their approbation, that they were willing that Mr. Cotton should be called to office in this place by ordination."

The object here aimed at was not immediately attained. He still continued to supply the pulpit, but, for reasons not clearly stated, he did not then consent to be ordained pastor of the church.

Mr. Cotton was married August 17, 1686, and immediately commenced housekeeping in Hampton, and labored here as a minister of the gospel till some time in the summer of 1690. This appears from some memoranda in the Diary of Henry Dow, where are noted the various articles "paid" by him to Mr. Cotton, at dates running from August 20, 1686, to April 30, 1690. On the third of April, 1688, he paid the balance that was due *for that year*, which would "be out the first of September next."

About this time the town directed the selectmen to ascertain what the inhabitants would "contribute yearly, and every year, towards Mr. John Cotton's comfortable maintenance, so long as he continue here in the work of the ministry."

SUCCEEDED BY REV. JOHN PIKE.

Two years afterward there was held a meeting of all the male inhabitants of the town, of twenty-one years of age, and upwards, "to consider of some way to procure a minister to settle among them for the future."

Whether Mr. Cotton had already suspended his preaching, or had signified his intention to do so at the close of his year, does not appear.

Those who attended that meeting first resolved: that they did earnestly desire to have a man settled among them in the work of the ministry. They then expressed a wish that *Mr. John Pike* should be the man, if he could be obtained. Mr. Nathaniel Weare, William Marston, Capt. Samuel Sherburne, Lieut. John Sanborn and Henry Dow were chosen to treat with Mr. Pike, to know his mind about settling here in the ministry.

Mr. Pike had been the pastor of the church in Dover, for many years, but was at this time staying in Portsmouth, having left Dover some time before on account of the ravages made by the Indians. In compliance with the request of the committee above named, he came to Hampton on the 24th of October following.

On the last day of April, 1691, at a meeting called "to act about settling a minister in the town," preference was again expressed for Mr. Pike, if he could "be cleared from Dover church." Henry Green, Nathaniel Weare and Henry Dow were appointed to treat with him and obtain his answer to their request. Mr. Pike assured them that he had a fair prospect of obtaining a dismissal from Dover in the course of one month, and he told them that he had come to Hampton with an intent to settle, and did still so intend, if God should make a way for it, when he had received his dismissal from Dover, and if the people in Hampton did then desire it.

The meeting was accordingly adjourned one month to receive Mr. Pike's answer, but the records do not show that any meeting was held at that time. Mr. Pike had undoubtedly informed the people of his failure to receive a dismissal from the Dover church, and hence there was no occasion for them to assemble. He, however, remained here till the 4th of February, 1692, and then removed to Newbury, but afterward returned to Dover, and died there in 1710.

MR. COTTON'S LABORS RESUMED.

When all hope of settling Mr. Pike had failed, the minds of the people were again turned towards Mr. John Cotton. At a meeting, October 26, 1691, the town voted to invite him to return to Hampton for the work of the ministry, with a view to his settlement, and appointed Mr. Nathaniel Weare and Francis Page to communicate to him this vote and receive his answer, which they were to lay before the town; and authority was given to them to call a town meeting for this purpose.

Mr. Cotton was then living in Portsmouth, and that town on the

30th of March preceding, had invited him to become pastor of the church there; but Mr. Moody, whose pastoral relation to that church had not been formally severed, though he had long been absent from them, wrote to the town from Boston, where he was living, that he would return if they wished it. He had previously written the church to the same effect, and proposed the calling of a council. The town considered this unnecessary, and the selectmen wrote Mr. Moody that his long absence, notwithstanding repeated invitations to return, was evidence that he had not meant to come back; that they had given a call to Mr. Cotton, and were now awaiting his decision. Mr. Cotton advised the town to invite Mr. Moody once more, to return, and if he should not accept this invitation, "they might honestly provide for themselves such a person as they judged fittest to supply the place of the ministry there." His advice was followed; but Mr. Moody and the church and town still held to their former views about the necessity of a council, and Mr. Cotton, under these circumstances, also declined the invitation extended to him to be settled with the church in Portsmouth, though he continued his ministrations there for three months. In 1693, Mr. Moody resumed the pastorate.

In answer to the invitation to return to Hampton, Mr. Cotton wrote a letter giving some encouragement that he would accept it. His letter being communicated to the town at a meeting on the 12th of November, the committee, chosen at the last meeting, were instructed to inform him, that the town would do for him everything offered, or promised, at former meetings to induce him then to remain. Sixteen persons dissented from this vote, and no agreement was made with Mr. Cotton.

About three weeks after Mr. Pike's removal from Hampton, another town meeting was holden with reference to Mr. Cotton, "who," the record reads, "was some years formerly with us." It was now voted to send to him again and earnestly desire him to come as soon as he could conveniently, and be here at least one Sabbath. In that case a general town meeting should be holden at the Meeting-house the next morning, to receive his propositions, and see if any agreement could be made.

Mr. Cotton probably preached in Hampton on the last Sabbath in March, for a town meeting was holden on the Monday following (March 28), when Lieut. John Sanborn and Mr. Nathaniel Weare were chosen "to speak with Mr. Cotton and desire him to let the town know his propositions in writing, that they might see how near the town could close with him in his desires." A quarterly contribution, and repairs on the parsonage premises were promised.

In case of Mr. Cotton's acceptance of these offers, the town agreed "that there should be a convenient house built for the ministry upon the land appointed for that end, as soon as practicable, and finished at the town's expense, and the old house made habitable for him in the meantime."

About seven or eight weeks afterward, Francis Page, John Tuck and Ephraim Marston were chosen to repair the old house at the town's expense, and make it habitable for the minister, for the present.

At a town meeting holden late in the autumn, Capt. William Marston, Capt. Henry Dow and Daniel Tilton were chosen to agree with and employ workmen for building a Parsonage-house and to see that the work be done, and the house built and finished according to the true intent, fit for a minister; and that the work be done with as much prudence as may be, to save cost to the town. What this committee, or any two of them, should agree to about the work, was to be considered valid. About four months later, Thomas Dearborn and John Tuck were added to this committee, and it was voted that an act of any three of the committee should be valid in all matters pertaining to the house.

The work of building did not go on very rapidly, for as late as July, 1693, the proprietors, or commoners, granted a small tract of land, adjoining to the land formerly granted or purchased for the ministry, and lying on the east side of the orchard, and adjacent thereto, to set the house on; and also land before the house, not exceeding forty square rods, to be laid out by the building committee, so as to be least prejudicial to the Meeting-house Green, and not to intrench on any person's grant—the land thus laid out, to be and remain a part of the Parsonage land forever.

In the following autumn, Sergt. Thomas Philbrick, Christopher Palmer, Thomas Webster, Sen., and Isaac Godfrey were chosen for that year, "to gather up the several sums that men had subscribed to give Mr. Cotton," whence it appears that he had remained with the people.

In the spring of 1694, the town chose Capt. Henry Dow and Lient. John Smith "to treat with Mr. John Cotton to see whether he will be pleased to consent to be agreed with by the year for a certain salary." At the same meeting, May 17, it was voted that the town will give our present minister, Mr. John Cotton, £85 a year for his pains in the work of the ministry among us, to be paid every half year in wheat at 5s. per bushel, Indian corn, 3s., malt and rye, each 4s. per bushel; pork, at 3d. per lb. and beef, 2d.—all merchantable and good—over and besides the contribution every quarter, formerly agreed

upon, and the use and benefit of the house, land and meadow, appointed for the ministry ;—the town to maintain the outside fence of said land and meadow ; and to do what they see cause for, about supplying Mr. Cotton with firewood. The committee that had been appointed to treat with Mr. Cotton were now directed to confer with him again, to see whether he would accept the terms offered by the town.

The town afterward, at the same meeting, voted to give Mr. Cotton "sixtie load of wood a yeare—such loads with fower oxen, that two load shall make a cord when cutt, and those loads of wood to be vallued at three shillings a load and to be payd for out of the Towne Rate from Time to time"—and the men recently chosen to gather up his subscriptions, were now chosen for the next year, to see that he be supplied with wood according to this vote, and to give an account of their doings to the selectmen.

The committee, appointed to confer with Mr. Cotton, reported the same day, that they had attended to the duty assigned them, and that Mr. Cotton accepted what had been voted and gave the town thanks for the same.

After one year had passed, the foregoing vote about supplying Mr. Cotton with firewood, was somewhat modified : He was now to be allowed 80 cords a year, and those who furnished it were to have 5s. a cord, provided one half of it, at least, was oak, and they were to be paid in money within the year, the procuring and paying for the wood to be under the direction of the selectmen.

The compensation Mr. Cotton was to receive for his services being at last definitely settled, the way was opened for his ordination ; and at a meeting of the freeholders, September 14, 1696, a vote was passed expressive of their desire that this should take place at once.

It was ordered that such parts of the old parsonage-house as would be needed in finishing the new house, or repairing the barn or leanto, should be used for those purposes, and what remained should be used by the selectmen for building a school house. The town also made provision for completing the new parsonage house.

A month later the town voted, that if Mr. Cotton's goods which were then at Mystic, should be sent to Boston, they would be at the expense of transporting them from the latter town to Hampton, to the house which he was then occupying.

MR. COTTON, ORDAINED PASTOR.

Arrangements were now to be made for the ordination. Capt. William Marston, Francis Page, Sen., Sergt. Thomas Philbrick, John

Tuck and Isaac Godfrey were appointed a committee for this purpose, and were to "take special care to see what every person would contribute towards the charge of the ordination; and to see that provision be made with the sum thus raised for the entertainment of Elders and Messengers and other Gentlemen, so far as it would go."

The ordination was appointed to be on the 19th of November, 1696—ten years and seven months after the death of the last pastor. This event, for which the people had been so long and earnestly seeking, was one of no ordinary interest. Nearly forty years had passed away since the last ordination in the town. During this long period, there had been only *three* ordinations in the province.

The service took place at the time appointed. The church records do not inform us by whom the sermon was preached. It is not improbable that the candidate was himself the preacher, in accordance with an early custom in New England. Rev. Joshua Moody, of Portsmouth, gave the charge, and Rev. William Hubbard, of Ipswich, Mass., the right-hand of fellowship.

The church had been so long destitute of a *pastor*, that the number of members had probably somewhat diminished since the death of their last minister. Of the sixty-eight persons, who were members in 1671, only twenty-five—ten males and fifteen females—were living in Hampton at the time of Mr. John Cotton's ordination. How many had been added to the church during the last fifteen years of Mr. Seaborn Cotton's ministry, and how many since his death—the ten years when the church had been without a settled pastor—we know not. Additions were made soon after the new pastor was inducted into office. Ten persons were admitted to full communion in January following, and some on each succeeding month till the first anniversary of the ordination. The whole number received into fellowship during the first year was seventy; the whole number, during Mr. Cotton's pastorate, was 215, and "487 were initiated into the christian church by baptism."

At a church meeting a few days after Mr. Cotton's ordination, it was agreed that the sacrament of the Lord's Supper should be administered in December, and afterward once in six or seven weeks, so as to have it administered eight times during a year. "But finding y^e days in winter so short and sharp, it was thought meet to omitt y^e of y^e winter quarter, viz.: between December 1 & March 1, & so to attend it but 7 times a year."

The last sentence suggests to the mind the different circumstances, under which the people of Hampton worshipped God and attended to his ordinances at that time, and at the present. The days now at the

same season, are as short, and, it may be, as sharp, as then ; but we have warm and comfortable places of worship, which shield us against the severity of winter, to which they were so much exposed.

A little less than two years after Mr. Cotton's ordination (September 11, 1698), thirteen persons were dismissed from the church, "in order to their being incorporated into a church state in Exeter." These were residents of Exeter, who had united with this church, for the reason that there was then none in their own town. Now a church was to be organized there, and a pastor ordained. Mr. Nathaniel Weare and Capt. Henry Dow were chosen as messengers of this church to assist in the ordination.

In the spring of 1701, the town voted to allow Mr. Cotton ten cords of wood a year in addition to his former thirty cords, on this condition : "That he preach a lecture in Hampton once a month, according to former custom in his father's days."

A NEW BELL.

The meeting-house bell having been broken, the town instructed the selectmen to agree with William Partridge, Esq., to procure for the town from England, a good bell, weighing about 180 pounds, and send to him the old one, to be disposed of in part payment thereof. The money needed to pay the balance of the expense was to be raised by a tax. This vote was in February, 1704.

More than four months passed and no bell having been procured, the town voted, that the selectmen should send to Boston by Peter Garland or Samuel Nudd, to see if they could find a good bell of about 100 or 120 pounds weight, and if they should find a suitable one, that the selectmen should buy it, paying cash for what it should cost in addition to the old bell.

"And when the ffals peopell haue a new meeting House builded and finished on there side as fitt to Hang A Bell in as the Meeting House att Towne is—so much as the ffals people pay now towards the bell at Towne the Towne side will pay so much towards a Bell for them."

Dea. Francis Page, Lieut. John Smith, Benjamin Shaw, Sen., Henry Dearborn and Lieut. John Moulton were appointed "to sett in the fore seat of the Meeting-house, before the Pulpitt."

The town also voted that the following women, viz. : "Mrs. Weare Sen., Hannah Gove, Hen. Dearborn's wife, Ben. Shaw's wife, Hannah Dearborn, Senior, sitt in the fore seat att the East end of the Meeting-house below."

"These men are voted to sett in the second seat before the pulpitt, below : Ens. Daniel Tilton, Ens. Tho : Robey, Timothy Hilyard, John Redman, Senior, Left. Joseph Swett and Joseph Moulton."

"The Towne haue noted and do desire the pressent Selectmen to use their discreation to order and Regulate the sitting of such peopell in the meeting-house, as haue not bin already placed."

The next winter the town appointed John Dearborn, Sen., Ens. John Gove, and Simon Dow, a committee to build a Barn on the parsonage, for the use of the minister, and instructed them to build it "every way according to the dimensions of Peter Johnson's new barn."

In the early part of the year 1704, the town passed the following vote: "That the present selectmen take care that all the clay walls in the meeting-house, that are not ceil'd, shall be smoothed over with clay and washed with white Lime & made Hansom;" and also that they should "haue the floor over the Beams covered with boards seasoned and jointed, and nailed down."

About two years afterward, the selectmen were directed to make further repairs: "that is to say—larth all the clay walls and daub them and wash them over with white lime; mend the glass windows, cause shetts to be made to preserve the glass for the ffuter, and to shingle it anew; and lay the flore over the Beames; and to make a Rate to pay ffor the same."

The next winter the town chose Mnj. Joseph Smith, Samuel Dow, and Ephraim Marston, a committee "for to give Liberty to thos men that will Apeare for to build Puese in the Hinder Seates in the meeting-house."

MR. COTTON'S DEATH AND OBITUARY.

After a pastorate of thirteen years and four months, and a ministry of considerably more than twenty years, Mr. Cotton was suddenly removed from his people by death, March 27, 1710, at the age of 51 years, 10 months and 19 days.

About one month after his death, there was a meeting of the inhabitants, and the town voted to pay the charge of his funeral by way of a rate. It was also voted that Mrs. Cotton should have the improvement of the parsonage till the next fall, for the benefit of herself and family.

The following obituary appeared in the *Boston News Letter*, of April 10, 1710, two weeks after Mr. Cotton's death:

"On Monday last, the 27th of March, at Hampton in New Hampshire, Dyed the Reverend Mr. John Cotton, Minister of the said Town, in a very sudden and surprising manner, having been very well all the day, and in the evening till just after Supper, when he was taken with a Fitt of an Apoplexy (as 'tis believed) and within a few minutes became speechless, and Dyed about Eleven o'clock the same night. H

was the Worthy Grandson and Heir of the Famous Mr. John Cotton, B. D.—one of the first and most considerable ministers that came to New England at its first Settlement. He was bred at Harvard College in New England, and for many years an Ornament and Fellow of that Society: and from thence in the year 1686, he removed to Hampton, where he succeeded his Father, Mr. Seaborn Cotton, in the ministry of that Place. He was very much and deservedly beloved and esteemed, not only by his own People, but by all who knew and conversed with him, for his eminent Piety and great Learning, his excellent Preaching, his Catholic Principles, and Universal Charity, his profitable, pleasant, virtuous, and delightful conversation, and for his Generous Hospitality to Strangers. And as he was an Honour to his Country where he was Born, and the College where he was Bred, and the Family from whence he came, so he is justly Lamented by them all. He Dyed in the 52nd Year of his Age, and on Friday the 31st, he was Interred with great Solemnity, a Funeral Sermon being Preach'd by the Reverend Mr. Rogers of Ipswich, on that Text, John 9: 4. 'I must work the work of him that sent me while it is day; the night cometh when no man can work.'"

The following sketch of Mr. Cotton's character, is from the pen of Rev. Jabez Fitch, of Portsmouth:

"He was a person of great learning and integrity, much given to hospitality, very pleasing and profitable, facetious and instructive in his conversation; affable, courteous and obliging in his carriage to all, and universally beloved; accurate in his sermons, and very industrious in his preparations for the pulpit."

DEACONS.

In our account of the church thus far, we have mentioned no other officers than pastor and teacher, whose appropriate duties, when both officers were found in the same church, may be briefly stated, as follows: "In the forenoon of the Sabbath, the pastor preached; in the afternoon, the teacher. In one part of the day, the pastor offered the prayer that preceded the sermon, and the teacher the closing prayer; and in the other part, the order was reversed. The teacher pronounced the benediction at the close of the morning service, and the pastor, at the close of the evening. At the celebration of the Lord's Supper, one of the ministers performed the first part of the service, and the other, the last; the order in which they officiated, being reversed at each communion. The ordinance of baptism was likewise administered either by the pastor or the teacher."

The only officers this church has ever had, besides the ministers, are the deacons and clerks. Of several of the early deacons, our account must be very meager, for lack of information. In the absence of church records, it is only by tradition, or from some incidental mention of their names and titles, in the town records, and some other old writings, that we know by whom the office was held.

In the infancy of the church, it is pretty evident, that there was but one deacon, and the first person who held the office was Christopher Hussey, a son-in-law of the first pastor. We have no means of knowing the time of his election, but in the town records, under date of June 30, 1640, he is styled "the present deacon." Thirteen years afterward, he was chosen a military officer and accepted the appointment. As these offices were then held to be incompatible with each other, he, of necessity, ceased to be deacon of the church.

The successors of Deacon Hussey were William Godfrey and Robert Page. Which of them was first elected, or whether both were chosen at the same time, is not known. The first instance in which the title is given them in the town records, is under date of December 20, 1660, where each of them is styled "deacon," in the same connection. This, however, does not prove that they had not been several years in office before that time; for both of them are sometimes mentioned afterward as well as before, without the title of deacon. They both appear to have remained in office till the close of life. Deacon Godfrey died March 25, 1671, and Deacon Page, September 22, 1679.

The next deacon was Francis Page, a son of Deacon Robert Page, and he was probably elected to office soon after the death of his father. He was the only deacon in office at the time of Mr. John Cotton's ordination. November 1, 1699, "Thomas Dearborn and Serg^t Thomas Philbrick were chosen deacons, and added as such to Dea. Page." If Sergt. Philbrick accepted the appointment his term of office was very brief, for he died Nov. 20, 1700. Dea. Francis Page died Nov. 14, 1706. Twelve days after his death, there was a church meeting, when Gershom Elkins and Samuel Shaw were chosen deacons "y^e one for y^e Town: y^e other for y^e falls, to join wth Deacon Dearborn in y^t office." These three deacons were in office at the time of Mr. John Cotton's death, but Dea. Dearborn died on the 14th of the next month.

CHAPTER XXI.

PASTORS GOOKIN AND WARD COTTON — NEW PARISHES, 1710-1887.

REV. NATHANIEL GOOKIN, 1710-1784.

HARDLY had the late pastor rested from his labors and gone to his reward, before the enquiry was earnestly made, Who shall supply his place? People at that day were not, in general, as fastidious on this subject, as they are now. The more important qualifications for the ministry, they did not overlook. They expected their minister to be a consistent christian, deeply imbued, not only with the love of souls, but also with a love for the ministerial work. They believed that he should be a man of respectable abilities, both natural and acquired; but thought quite as much of diligence in his calling, and devotedness to his appropriate work. Pulpit talents of a high order were not despised; but they were not considered of paramount importance, nor indispensable to a minister's usefulness. Still, it was not always easy to find a minister such as was needed. Candidates for the sacred office were less numerous then, than now, and the qualifications demanded were much more rare than mere literary attainments.

But the efforts made on this occasion proved abundantly successful, and a man was found, in every way meeting the expectations of the people. Scarcely a month had elapsed after their late beloved pastor had been so suddenly stricken down in death, when we find them in town meeting assembled, not only to make some provision for his afflicted family, as was shown in the last chapter, but also to adopt measures for obtaining another minister. It was voted (April 26, 1710), "that the town is of unanimous mind to hire a minister for the town." But though the vote was put in this form, it was not, in fact, unanimous. The people living at the "Falls," had before this time built a meeting-house in that part of the town for their own accommodation, and were actually paying for the support of a minister, as will be shown in its proper place. These people, therefore dissented from the vote to hire a minister "*for the town.*" They desired that there should be two distinct parishes in the town, and

that the people of each parish should be responsible for the support of their own minister. But a majority were opposed to such an arrangement. They therefore appointed a committee, consisting of Deacon Shaw, Deacon Elkins and Mr. John Tuck, to see if they could procure a minister for the town.

The committee appear to have engaged a man immediately, for, on the 19th of June, less than two months from the time of their appointment, there was a meeting of the freeholders and inhabitants to consider whether they should invite him to become their pastor. It was then voted, "that the town is of unanimous mind, that Mr. Nathaniel Gookin shall be called to the work of the ministry in the town." The action of the church does not appear from the records.

The town proposed as a compensation to Mr. Gookin £70 a year, to be paid "in the species att the prises that Mr. Cotton's sallery was paid in," except that the price of barley was now to be 3s. instead of 4s. a bushel, as was stipulated with Mr. Cotton; and liberty was given for any man to pay his rate in money, if he chose. The town also offered 20 cords of wood a year, and a quarterly contribution, and the use of the parsonage during his ministry (after that summer), the town to maintain the outside fences as formerly. Coupled with this offer, was the condition, that as long as he should have the parsonage in possession, the town would "expect a Lecture monthly, and that the town should be at no more charge about the glass than they were in Mr. Cotton's time."

Mr. Gookin asked for a month's time in which to give an answer. Maj. Joseph Smith, Deacon Elkins and Sergt. John Tuck were chosen a committee to receive his answer and lay it before the town. A meeting for this purpose was held on the 25th of July. It was voted, probably in accordance with the wishes of Mr. Gookin, that the four contributions should be made £10 apiece *in money*, but that whoever should enter his dissent against this vote should be exempt from paying any part of it.

Mr. Gookin seems still to have been dissatisfied with the terms offered him; and the town, probably a little piqued at his course, to have been disinclined to offer more favorable terms. It was therefore voted that a rate should be made forthwith for the payment of £10 in money to Mr. Gookin for the time that he had been here, and for some other charges that might arise. John Dearborn (son of John Dearborn, Sen.) was chosen to join with Deacon Elkins and John Tuck, "for to look out to see if they can procuer a minister for the Towne." The meeting was then adjourned to "Monday come fortnight," when "every man was to bring his money to Constable Hobbs at his house

to pay his rate made for paying Mr. Gookin for the time he had spent here."

At the adjourned meeting, Serg^t. Abraham Drake was chosen to go to Mr. Gookin along with John Dearborn, *to know his lowest terms*. The committee probably attended to the duty assigned them, and made their report at the same meeting, whereupon the town voted that one half of the £70 previously offered to Mr. Gookin should be paid *in money* yearly, so long as he should continue here in the work of the ministry, and whenever he should have a family, his £70 should be made £80. This vote appears to have been satisfactory to Mr. Gookin, though his answer, accepting the call, is not on record.

The ordination took place on the 15th of November, 1710. The charge was given by Rev. Nathaniel Rogers, of Portsmouth, and the right-hand of fellowship, by Rev. John Emerson, of New Castle. The next month Mr. Gookin was married.

At a church meeting in January, 1711, Samuel Dow and Philemon Dalton were chosen deacons, to be added to the two in office before. At this time was made the first provision on record for meeting the expenses of the communion. It was voted, that for providing for the Lord's Supper, every communicant should then pay one shilling, and the same sum annually for the future.

THE FALLS CHURCH ORGANIZED.

Previous to this there had also been another minister ordained in Hampton. The design of forming a new parish in the south part of the town, which has already been mentioned, though it met with opposition at first, was never given up. At length, an amicable arrangement having been made with the people living *at the town*, a new church was organized at the *Falls*, forty-nine members of the old church (including one of the deacons) having been dismissed for this purpose, and seven other persons having united with them. On the 30th of December, 1711, the other deacons—Elkins, Dow, and Dalton—were chosen messengers of the old church to attend the ordination of a pastor for the new one, which took place three days afterward.

At a church meeting at the close of the year 1712 (thirty-one communicants being present), several important votes were passed:

First. That there be a Church Record kept by Deacon Dalton.

Second. That this church will not oblige any person to make a Relation in order to his being of our communion.

Third. That all persons who desire to join in full communion with this church, shall be first propounded to the church, and that whenever any person makes a relation, it shall be read only to the church, and at his first propounding.

Fourth. That in any case that may hereafter happen in which this church shall want counsel, application shall be made by the church to the Elders of the churches of this Province, when assembled together, and that all matters shall be determined by their advice.

Fifth. That when any member of this church is aggrieved, or does suppose himself to be aggrieved by this church, he shall apply himself to the Elders of the churches of this Province, and be determined by their advice.

Sixth. That whenever we shall by the Providence of God be destitute of a Pastor, we will not proceed to the settling [of] another, without the advice of the Elders of the churches of this Province when assembled together.

COMMUNION SERVICE PURCHASED.

Upon the same day the deacons gave an account of the communion ware, etc., which they had in their hands, belonging to the church. The whole was of but little value, viz.: 3 flagons, 1 tankard, and 1 basin, all of them pewter:—1 table cloth and 5 napkins. It was therefore proposed that money should be raised by subscription, for purchasing suitable vessels for the communion service of the church. A subscription was accordingly opened, and £32 1s. subscribed by eighty persons, in sums varying from £2 to 1s.

Deacon Dow was sent to Boston to procure the articles needed. He bought 8 silver beakers, or cups, which with 4 others like them, purchased in 1744, still belong to the church, and are all in good condition. The cost of the eight cups was £29. The church allowed Deacon Dow 20s. for his journey to Boston, and the remainder of the sum raised was expended for four pewter dishes.

The first case of discipline on record is that of a female member of the church, who was accused of stealing, in 1714. She acknowledged herself guilty, and by a unanimous vote she was suspended from the privileges of the church.

Dea. Samuel Dow died June 20, 1714. On the 19th of July following, John Tuck was chosen to fill the vacancy occasioned by his death.

Dea. Gershom Elkins died January 12, 1718, aged nearly 78 years; and Dea. Philemon Dalton died April 5, 1721, aged 56 years. At a full meeting of the church a few days after the death of the latter—

fifty-four of the brethren being present—three deacons were chosen to join with Deacon Tuck in that office. These were John Dearborn (son of Henry), John Dearborn (son of John), and Josiah Moulton.

THE FOURTH MEETING-HOUSE.

In 1718 some incipient steps were taken for building a meeting-house on the "town side," to take the place of the one that had been built about forty years before. The town (except the portion belonging to the new parish) held a meeting on the subject in September, and after voting "y^t a new meeting house be built for s^d parrish, to be sett on y^e meeting house green as neare y^e present meeting house as shall be judged convenient," chose Capt. Jabez Dow and Dea. John Tuck to take the subject into consideration, and report at an adjourned meeting "what manner of house should be built," and give the town such information as they might, in the meantime, be able to collect. The meeting was then adjourned to the next lecture-day—four weeks from that time.

At the adjourned meeting, it was voted to build a house of specified dimensions, with a steeple, or turret at one end thereof "from y^e beame upward, of convenient & suitable bigness and height." Capt. Jabez Dow, Serg^t. John Sanborn, Samuel Nudd, Hezekiah Jenness and John Dearborn (cooper)—"they or y^e major part of them"—were chosen a building committee, and it was voted, "that when y^e comitte shall giue notice to y^e people y^t belongs to s^d meeting house, they shall assist in y^e Raising thereof."

It appears not to have been intended that the house should be built till the next spring. About the time when the work was to be commenced, another meeting was held, when some alterations were made in the dimensions of the house, to improve its proportions and make it "handsomer." It was voted that it should be 60 feet long, 40 feet wide, "beside the jetts," and 28 feet stud. It was also voted, that the glass of the old meeting-house should be used in glazing and the seats and other inside work, in finishing the new one.

The frame of this Meeting-house—the *fourth* in the order of succession—was raised on the 13th and 14th of May, 1719; and it was so far finished that it was occupied as a place of worship, for the first time, on the 18th of October following. Only one pew had then been built, and that for the use of the minister's family. For the rest of the congregation, seats only had been provided. Other pews were built at different times afterward.

The next spring the town chose Capt. Joshua Wingate and Samuel Nudd a committee to sell the *old meeting-house*, as advantageously

for the town as they could, the proceeds to be "for the use & benefit of y^e Rever^d Mr. Nath^l. Gookin."

Not far from this time, a new bell was procured for the meeting-house, which, unfortunately, was at once so injured as to be unfit for use. The tradition concerning it is, the bell was bought in Boston and brought to Hampton by water; and while it was still on board the vessel, which was lying at the Landing, it was suspended over the deck for the purpose of making some experiment to gratify an idle curiosity. In making the experiment the bell was broken.

A meeting was called to devise means to purchase another bell. It was voted "that y^e bell y^t is through casualty or mishap broke, be forthwith sent to England y^t it may be exchanged for another neare y^e same bigness and y^e selectmen are impowered to raise money to pay for y^t which is broke and also for that which it is to be exchanged for, & likewise are to send y^e broken bell away as soon as may be."

In 1725, nine persons were dismissed from this church to form one in Kingston.

The GREAT EARTHQUAKE of 1727 has been described in Chapter X. We now recur to it, for the purpose of relating the religious interest awakened among this people in connection with it. The day on which it occurred was the Sabbath, October 29. In the afternoon, Mr. Gookin preached from Ezekiel 7: 7.—"The day of trouble is near." In his introductory remarks, he said: "I do not pretend to a gift of foretelling future things; but the impression that these words have made upon my mind in the week past, so that I could not bend my tho'ts to prepare a discourse on any other subject, saving that on which I discoursed in the forenoon, which was something of the same nature; I say, it being thus, I know not but there may be a particular warning designed by God, of some *day of trouble* near, perhaps to *me*, perhaps to *you*, perhaps to *all of us*."

A few hours passed away and in the stillness of the evening the earthquake came, "with a terrible noise something like thunder," and "the houses trembled as if they were falling." Consternation seized both man and beast. "The brute creation ran roaring about the fields, as in the greatest distress; and mankind were as much surprised as they, and some with a very great terror." All "saw a necessity for looking to God for his protection."

The people of the town met together the next Wednesday, November 1, and Mr. Gookin preached a solemn and impressive discourse from Deuteronomy 5: 29. Thursday of the second week after was

observed here as a Public Fast, when Mr. Gookin again preached from the same text as in the afternoon before the earthquake, discoursing on his subject agreeably to the plan then laid out. His plan was fully carried out in these two discourses and a third one preached from the same text on the last Sabbath in November. The people generally were thoughtful and serious. Many were found "asking the way to Zion, with their faces thitherward." Soon after, additions were made to the church, mostly of persons in the prime of life. Before the close of the following year, more than seventy were admitted to full communion, and a considerable number of others owned the covenant.

THE NEW CHURCH AT RYE.

In 1726, a church was organized and a pastor settled in the recently incorporated town of Rye, lying north of the easterly part of Hampton. Settlements had been made there many years before, but as no church had been formed, those persons wishing to make a profession of religion united with the neighboring churches. A considerable number were members of the Hampton church. These, with some others living here, near the border of Rye, twenty in all, were dismissed in July, for the purpose of being, with others, organized into a church at Rye.

In 1725, and several succeeding years, the town paid Mr. Gookin £20 a year in addition to his regular salary.

In 1728, the selectmen were empowered to let out the hinder seat on the south side of the *lower* gallery, and to make a pew for the young women, at the east end of the women's *lower* gallery. The meeting-house, built in 1719, had two galleries, one above the other. The upper gallery was kept closed during the latter part of the time in which this house was occupied.

MR. GOOKIN'S ASSISTANTS.

Late in Mr. Gookin's ministry, his health became so much impaired, that he could not perform all the pastoral and parochial labors to which he had been accustomed. His people, aware of this, wished to relieve him as far as they were able. Accordingly, at a meeting of the freeholders, in the summer of 1729, the deacons were instructed to hire an assistant; but who was employed is not on record. About three years afterward, a Mr. Gilman served in that capacity for at least seven or eight months. Preachers were hired after this, three months at a time, till the annual meeting in 1734. During a part of

1738, Mr. Solomon Page, a native of Hampton, who was, perhaps at that time, a schoolmaster in the town, was the man employed;¹ and in the latter part of the same year, Mr. Ward Cotton was the pastor's assistant.

MR. WARD COTTON, COLLEAGUE.

At the annual town meeting in 1784, there being no longer any expectation that Mr. Gookin would ever recover his health, a committee was chosen to advise with him, whether it might not be expedient to settle some man in the ministry, and if not, to consider what should be done. In case it should be thought advisable, the committee were also authorized to treat with Mr. Cotton, to know whether he was willing to settle with them as their minister. The committee consisted of the following persons: Capt. Jonathan Marston, Samuel Palmer, Jun., Capt. Jabez Dow, Christopher Page, Sen., Dea. Josiah Moulton, and Simon Marston. As the result of their negotiation, Mr. Ward Cotton was settled as colleague with Mr. Gookin, the next June.

The senior pastor's health continued to decline a few weeks longer, and on Sabbath day, the 25th of August, 1784, he fell asleep in death, at the age of nearly forty-eight years—about one-half of his life having been spent in his ministry among this people.

During his ministry three hundred twenty persons were admitted to full communion with the church, and about nine hundred seventy-five, baptized.

On Monday, the next day after the death of Mr. Gookin, there was a meeting of the freeholders, when it was voted to raise £100 in money, one half of which—if so large a sum should be needed,—should be appropriated to defray the funeral charges, and the remainder of the £100 be expended in clothing for the widow and children of the deceased pastor. The whole matter was committed to the management of the selectmen.

A slab of fine slate, erected at the expense of the town, marks the grave where he was interred in the old Burying Yard. On the slab is the following inscription, still very legible after the lapse of more than one hundred fifty years:

"Here lyes Interred the BODY of the Rev^d Mr. NATHANIEL GOOKIN, M. A. & late Pastor of the 1st Church of CHRIST in HAMPTON, who died Aug. 25, MDCCLXXXIV in the 48th year of his Age, & the 27th of his Ministry.

He was A JUDICIOUS DIVINE, A Celebrated Preacher, A most Vigilant & faithful PASTOR, A bright Ornament of Learning and RELIGION, An Excellent Pattern of PIETY, CHARITY & Hospitality."

Mr. Gookin's sermon in the afternoon before the "great earthquake," gained for him, in some quarters, the reputation of being a *prophet*. It is said that some of the Quakers reproved him for neglecting "to improve his gift." It is hardly necessary to add, that Mr. Gookin himself disclaimed any such gift.

One of the most striking characteristics of Mr. Gookin was the gravity and unassumed dignity of his manners. Several anecdotes are related, illustrative of this. On one occasion during his ministry, the royal governor of the province, when passing through the town, stopped at Colonel Wingate's for refreshment.¹ While there, he was called upon by Mr. Gookin. After he had retired, the governor remarked, that he had had interviews with his majesty, king George, and his ministers, and with many members of Parliament, but never before had he met with any man of equal dignity with this minister of the gospel.

The following obituary of Rev. Mr. Gookin was written by Rev. Ward Cotton, the surviving pastor of the church, and entered on the Town Records, August 28, 1734.

"On Lord's day morning, the 25th instant, died here Rev. Mr. Nathaniel Gookin, in the 48th year of his age. He was the son of the Rev. Mr. Nathaniel Gookin, minister of Cambridge, and grandson to the Hon. Major General [Daniel] Gookin. He had a liberal Education in the School and College at Cambridge; his natural powers were quick & strong, and his Improvements in Learning and Religion were very remarkable; and by his close Application to his studies, especially in Divinity, he made an early & bright appearance in the pulpit [in] 1710. Upon the death of the venerable Mr. John Cotton, our former pastor, he was called & ordained to the pastoral office in this town, in which station his natural and acquired abilities, in conjunction with his sincere piety and steady prudence, zeal & faithfulness in his Lord's work, rendered him truly great and good; a star of the first magnitude, highly esteemed & beloved by all that knew him. He was justly esteemed by the most judicious, a well accomplished Divine, a judicious Casuist excellently qualified both to feed & guide the flock of Christ; an eminent preacher, excelling in the most correct phrase, clear method, sound scriptural Reasoning, a masculine style, manly voice, grave utterance, and a lively, close applica-

¹p. 137.

tion to his hearers, with great affection, and yet free from affectation. The classis of Ministers to which he belonged, placed much of their glory in him, and highly valued his judgment in all cases that came before them. He was a zealous asserter of the civil Rights, and Religious liberties of mankind. His temper was grave & thoughtful, yet at times cheerful and free; and his conversation very entertaining. In his conduct he was ever prudent, and careful of his character, both as a minister and as a christian. He was much given to hospitality, and took great pleasure in entertaining such as he might improve [himself] by conversing with;—a gentleman of a generous and catholic spirit; a hearty friend to his country, and to our ecclesiastical constitution; And always approved himself a bright example of those Doctrines and virtues, which he so plainly preached and earnestly recommended to others.

For some time before his death, he was diverted from his beloved work by a sore malady that affected his throat or palate, which depressed his voice and obstructed his speech; whereby being taken off from that which was so much his proper element, he at length fell under the sad impression of a slow fever, under which he languished for three or four months, bearing all his trials with an admirable patience and submission, and at last with great peace and comfort, resigned his spirit to God that gave it, with him to keep an everlasting Sabbath.

He left behind him a sorrowful widow, the pious and virtuous daughter of our former pastor, and nine children, six sons and three daughters, many of which are in their tender infancy, whose circumstances passionately bespeak the generous charity of such as abound, and are able to minister to their support.

He was this day honorably interred, with great respect and deep lamentation, after a funeral sermon preached by Rev. Mr. Fitch, from Acts 18: 36; and his generous and affectionate people were at the charge of his funeral & unanimously voted one hundred pound [£100] for that end; and as their liberality has abounded to their venerable pastor, both living and dying, so it is hoped that they will continue their kindness to the sorrowful widow and orphans.

During his confinement, with his free consent the Reverend Mr. Ward Cotton was introduced, and settled as his Colleague in the pastoral office, who now survives as his successor, for whom what can we desire better than that the mantle of the departed Elijah may fall and rest upon Elisha?"

Six years, or more, before his death, this worthy minister remarked, that in case he should be taken away from his family, his great com-

fort, next to his hope in the most merciful providence of God, was that he should leave them with a kind and loving people. His confidence in his people was not misplaced. Indeed, he then acknowledged "the repeated instances of kindness," which they had shown him, and in particular, a "late signal expression of their love." For several years previous, the town had from year to year voted him £20 in addition to his stated salary; but their *late signal expression of love*, here referred to, was probably an offer on the part of his people, to assist in the education of his eldest son, as related by Mr. Gookin himself in the following letter:

"Hampton, in New Hampshire, June 12th, 1781.

DEAR BROTHER: I think I shall not be with you at the Commencement. I hope you and my other Friends will direct my Son in any thing wherein he wants: He is now to take his Degree, and I take the Occasion of it to let you know the remarkable Kindness of my Neighbors to me. Since he has been at the College, they have by free Contributions given me One Hundred and Fifteen Pounds, to assist me in Maintaining him there; and they did it with all the Freedom that can be imagined; I having never asked them to do it, nor indeed, did I so much as think of such a thing till of their own accord they offered it. You may inform who you please of this, for, indeed, one end of my Writing it is, that other Congregations may be stirred up by this good Example, to do the like for their Ministers: I *boast* of my Parishoners, hoping that *their Zeal in this matter will provoke many others to go and do likewise.*

I am, dear Sir, your affectionate Brother.

The town having made provision for paying the expenses of the funeral of Mr. Gookin, soon after provided for his bereaved family. At a meeting of the freeholders, September 16, 1784, it was voted that the rate that had been recently made for Mr. Gookin's support, and committed to the constable, should be collected and given to Mrs. Gookin. It was also voted:

"To give Mrs. Gookin liberty to keep three or four of her own cows and a horse from year to year in y^e home pastor [pasture] & liberty to cut hay a noff [enough] upon the marsh to keep them in y^e winter," and to give her "fifteen cord of wood from year to year during her present widowhood in this town."

About three months afterward, further provision was made for her support. It was voted to give £40 in money and £40 in provision "at the present currency" yearly after the expiration of the year for which provision had already been made.

The parsonage-house, or so much of it as she needed, was occupied by her, till the town provided her with another house, though this appears not to have been granted by any formal vote.

At another meeting of the freeholders, it was voted with but one dissenting vote, to build a house for Mrs. Gookin to live in during her present widowhood. The house was accordingly built "between Mr. Rand's house and Capt. Jabez Smith's land on the most convenient spot near the lane"—land now owned by Christopher G. Toppan, on "Rand's hill." It was 26 feet in length, 28 in width, and 15 feet post "between the sills and y^e top of y^e plate," with a cellar under it 16 feet square.

Morris Hobbs, Jun., and Philip Towle agreed to build this house, finding the materials and doing the work "for £200 money, in bills of credit," and to complete it by the last of October, 1735. Some of the timber, however, was cut on the parsonage by the contractors, for which the town charged them nothing.

At the annual meeting in March, 1735, it was voted to give Madam Gookin five cords of wood for that year, in addition to the fifteen cords formerly granted. Whereupon twenty loads of wood were immediately subscribed, in lieu of the five cords voted. It was also voted that she should have the improvement, for that year, of the garden at the west end of the parsonage house. One year later the town voted to build a yard about Madam Gookin's new house. She was at that time occupying the house. Again, on the 19th of April, the town voted to build a barn for her use, 25 feet square and 12 feet post, to be well finished; for building which the town agreed to give John Marston £30, and this sum was afterward increased to £35.

When, several years after this, a new parish was formed in the north part of the town, and again at a still later date, when that parish was incorporated, and made entirely distinct from the old town (except in making the Province tax and in choosing a representative), it was expressly provided that the new parish, or town, should pay a just proportion of the sum appropriated for the support of Madam Gookin.

The foregoing provisions for her support, so cheerfully made, were never regarded as burdensome. It was, however, well understood from the first, that the obligations thus voluntarily assumed, would be terminated—except the annual payment of £40 in money and £40 in provision—by her re-marriage, or in case she should remove from the town, be suspended during her absence. In January, 1740, her eldest daughter was married to Rev. Peter Coffin, of East Kingston, and then, or subsequently, Madam Gookin went to live with this daughter, and remained with her through life.

At a church meeting, May 15, 1748, it was voted almost unanimously to have a contribution the next Sabbath for the relief of Madam Gookin, who had been "for more than ten weeks lying under God's chastening hand at Kingston" (East Kingston). The contribution was taken according to this vote on the next Sabbath, May 22nd, and amounted to £46 old tenor. But this was too late for the relief of Madam Gookin, who had died two days before.

The town afterward appropriated £70 old tenor, towards paying the funeral charges.

THE HAMPTON FALLS CHURCH.

On Mr. Gookin's death, in 1734, Mr. Cotton became sole pastor of the church. Let us leave the situation thus, and turn aside to see how it has fared with the new church across Taylor's river, the formation of which has been briefly noticed. We may here note also, the subsequent formation of new parishes originating in this church.

In the beginning of the Hampton Falls settlement, ecclesiastical and secular affairs are so intimately blended, it is impossible to separate them. When the meeting-house was built, mentioned in their first petition to the General Assembly, in 1709, is not known; nor is it certain who was the minister, though there is reason to think it was a resident school-master, named Thomas Croshy, a son of Rev. Seaborn Cotton's second wife by a former marriage. That he was not qualified to administer the rite of baptism, and consequently, not ordained, seems evident; because after the petition of 1709 had been granted, and Rev. Theophilus Cotton had begun his labors there, under date June 17, 1711, the following minute appears on the Hampton Records: "Samuel, son of Mr. Pottle, was the first that was baptized in Falls meeting-house." But Mr. Cotton himself was not ordained at that time, and the child was baptized by the pastor of the Hampton church.

The meeting-house stood on the Hill, near the present site of the Wenre monument, and appears to have been a rude building, occupied in an unfinished state till long after Hampton Falls became a separate town. In 1723, the burying-ground, on the Exeter road, near by, was fenced in.

Rev. Theophilus Cotton was born at Plymouth, May 5, 1682. He finished his course at Harvard at the age of nineteen. Of the next eight years of his life we know nothing, but naturally conjecture that he studied theology with his father, and preached as opportunity offered. He went to Hampton Falls sometime between December 3, 1709, and May 13, 1710, and preached there nearly two years before the church was organized.

On the 9th of December, 1711, forty-nine members of the old church in Hampton were dismissed, in order to form the Hampton Falls church; and four days afterward, amid the solemnities of a day of fasting and prayer, the new church was organized with twenty-one male and thirty-five female members. The Rev. Mr. Cushing of Salisbury, preached on the occasion; and Rev. Messrs. Gookin of Hampton and Odlin of Exeter assisted in the service.

Four weeks later, January 2, 1712, Mr. Cotton was ordained. The salary was at first sixty pounds and firewood, and the use of a parsonage of thirty acres; to which, after a few years, twenty pounds and more land were added.

Mr. Cotton married Mary, widow of Dr. Gedney of Salem, and daughter of Mr. Gookin of Cambridge. They had no children.

His ministry of about fifteen years seems to have been altogether a peaceful one, marked by no unusual events. Ninety-eight persons were received to full communion, thirty-five owned the covenant and four hundred sixty-eight were baptized. Mr. Cotton died August 16, 1726, so that his ministry covers the whole time of the ecclesiastical connection of Hampton Falls with the old town. Rev. Mr. Gookin of Hampton preached funeral sermons on the following Sabbath, from 2 Cor. 5: 4, and John 5: 35. Mr. Cotton was buried in the cemetery near the church, and a monument erected over his grave, bearing this inscription: "Here lyes ye body of ye Revd. Mr. Theophilus Cotton ye First Minister of ye Church at Hamptonfalls, who, after he had served God faithfully in his generation, Deceased, August ye 16th, 1726, in ye 45th year of his age. *Blessed are the dead which die in the Lord.*"

Succeeding pastors of this church were: Rev. Joseph Whipple, 1727-1757; Rev. Josiah Bailey, 1757-1762; Rev. Paine Wingate,¹ 1763-1776; Rev. Samuel Langdon, D.D.,² 1781-1797; Rev. Jacob Abbot,³ 1798-1827.

Rev. Moses Dow preached in Hampton Falls about three years, from 1830. In the summer of 1834, Rev. Henry C. Jewett supplied the pulpit; and during his stay, a separation took place—a majority of the parish, with a small portion of the church becoming Unitarian, and the remainder forming the nucleus of a new church, worshipping for a time in the old meeting-house in Seabrook. In 1836, a new house was built near the line between Hampton Falls and Seabrook. July 12, 1837, Rev. Sereno T. Abbott was ordained pastor, and the same

¹See Genealogies—Wingate (1).

²President Harv. Univ. 1774-1780.

³The last minister settled by the town. [See Genealogies—Abbot.]

day, a new church was organized, now generally known as the Line church, receiving into it the last survivor of the old Seabrook church.

The Unitarian division assumed the name of "The First Church of Hampton Falls," and employed Rev. Linus H. Shaw as pastor for about a year. In 1841, the Unitarians of Hampton Falls and Kensington united, and Rev. Jacob Caldwell was ordained to minister to the two societies.

THE KENSINGTON SEPARATION FROM THE HAMPTON FALLS CHURCH.

August 19, 1737, an act was passed, establishing a parish by the name of Kensington, in the west part of Hampton Falls.

The first meeting-house was erected about one-half mile north of the old burying-ground. It was removed, however, to the present site of the town-house before it was finished. The second house was built on the same spot in 1771, and remained till 1846, when it was taken down and the town-house built in its place. The third meeting-house was built by the united labors of different denominations, near the old one, in 1839.

Fifty-seven persons were dismissed from the church in Hampton Falls, October 4, 1737, "to incorporate at Kensington."¹ Two days later, fourteen persons, including the pastor elect, were dismissed from the old church in Hampton, for the same purpose, and the church was organized the same day, October 6, 1737. Rev. Jeremiah Fogg was ordained November 23, of the same year, the pastors of Hampton and Hampton Falls assisting on the occasion. Mr. Fogg's ministry continued more than fifty years. The greater part of it appears to have been peaceful and acceptable; but near the close of his life some ecclesiastical difficulties arose, which led to the calling of several councils, and Mr. Fogg was dismissed in September, 1789. Shortly afterward, he died and was buried in the old cemetery in Kensington. His gravestone bears this inscription: "In Memory of the Rev. Jeremiah Fogg, A.M. who died Dec. 1, 1789, in the 78th year of his age and the 52nd of his Ministry. 'Mark the perfect man, and behold the upright, for the end of that man is peace.'" [See Genealogies—Fogg (9).]

After Mr. Fogg's death, the people of Kensington continued in a divided state for several years; but united at length in a call to Rev. Naphtali Shaw, who was ordained and settled June 30, 1793, and continued pastor almost twenty years, when, on account of ill health, he was dismissed January 13, 1813, and Rev. Nathaniel Kennedy, a Scotchman by birth, but said to have come from Ireland, was installed pastor the same day. He was dismissed July 1, 1816, and died in Philadelphia in 1843 or '44.

¹H. F. chh. rec.

Rev. Joseph A. E. Long was the next stated preacher, closing a two years' connection with the church in 1823. At a later period, he returned for a short time. The church covenant was revised during Mr. Shaw's ministry and again by Mr. Long. Afterward, the Unitarian form was adopted. The pulpit was supplied by occasional preachers, till a union was formed with the Unitarian society of Hampton Falls in 1841.

THE SEABROOK SEPARATION FROM THE HAMPTON FALLS CHURCH.

November 21, 1765, fifty-six inhabitants of Hampton Falls, professing dissatisfaction with Rev. Paine Wingate, on account of doctrine, and declaring themselves Presbyterians, having already formed a church, built a meeting-house and settled a minister, petitioned the General Court to be set off as a distinct parish, "for ministerial affairs only."

A counter petition was presented, January 1, 1766, by a committee chosen by the town, Hon. Meshech Weare, chairman, desiring that, if they be set off at all, it be absolutely, as a distinct town. The latter petition prevailed, and the south part of Hampton Falls became the town of Seabrook in 1768.¹

The dissenting church was organized about the first of November, 1764, under the Presbyterian form of government, and connected with the Boston Presbytery. It was composed principally of persons from the Hampton Falls church, as above stated. The meeting-house was built in 1763, and still remains standing in Seabrook, remodelled, as a Baptist church and town-house. Rev. Samuel Perley was the first and only Presbyterian pastor. He was ordained January 31, 1765, and remained till the beginning of the Revolutionary war. The next year, Mr. Wingate retired from the Hampton Falls church, and those who had withdrawn from his ministry to form the Presbyterian church returned and were readmitted.

After this there was no regular preaching at the Seabrook church for more than twenty years. About the year 1799, a new church was formed, on Congregational principles, and Rev. Elias Hull was settled as its pastor, continuing till his death, February 28, 1822. Then the church became scattered. Some removed from the place, some died, some went to other denominations, and two aged women alone remained. One of these lived to join the Line church, in 1837.

THE SOCIETY OF FRIENDS.²

[Sketch by the late Oliver Eaton, Esq., of Seabrook.]

At the Salisbury Court, 14 : 2mo : 1674, thirteen persons, all belong-

¹ Prov. Pap. ix : 373.

² See *Treatment of Quakers*, Chap. II.

ing to Hampton, "were convicted before this court for y^e breach of y^e law called Quakers meeting, and were all admonished & so upon paying y^e fees of y^e court are discharged for y^e p^rsent."¹

The earliest record of the Friends' Society in Hampton, now Seabrook, begins in the year 1701. Their first "Meeting" was established, however, about 1699; and their "Quarterly Meeting," as early as 1697, perhaps earlier. At a meeting held at Hampton, in 1701, the Quakers² decided to build a meeting-house. The sum of sixty-six pounds, four shillings was raised, mostly by subscription, to defray the expenses, one man paying thirty pounds.³

Thereupon, Thomas Chase, of Hampton, in consideration of love and good-will, conveyed to Joseph Chase, Abraham Green, John Stanyan and Joseph Dow, Sen., all of Hampton, aforesaid, in the name and behalf of all those christian people, called Quakers, living in Hampton, aforesaid, a certain tract of land, situated in the bounds of Hampton, aforesaid, "to Seat a Meeting-house thereon." The deed was dated 21st 6 mo: 1701.⁴ And here, on these premises, in the autumn of the same year, the society built their meeting-house, which still exists, in a good state of preservation, though removed to another locality and for another purpose, in 1888. The frame, as originally constructed, was twenty-six and one half feet wide, thirty-two feet long, and eight feet stud.

In this little house, all of the order from Hampton, Salisbury and Amesbury, held their weekly and monthly meetings,—the weekly meetings for about four years, until the Friends' meeting-house, at Amesbury was built, in 1705; and the monthly meetings for about nine years, until May 18, 1710, when a monthly meeting was held at Amesbury. From that date, for more than sixty years, it was held alternately at Amesbury and Hampton (Hampton Falls, 1719—Seabrook, 1768).

The first marriage recorded among this society of Friends took place in 1705, at the house of Thomas Barnard, where a meeting was held for the occasion. The parties were John Peaslee and Mary Martin. This marriage record was signed by forty-seven witnesses.

In 1701, John Collins, Henry Dow, Jeremiah Dow and Joseph Dow, Jr., members of the Quaker Society, were living in that part of Seabrook, over which the town of Salisbury then exercised the right of jurisdiction and taxation. "And this year, Isaac Morrill, Jr., con-

¹ Records of Norfolk County Courts.

² A name first given to this sect by their enemies about 1650, and afterwards quite generally adopted.

³ Quaker Records.

⁴ Rock. Co. Rec.

stable for the year 1700, took from Jeremiah Dow a quart pot, a pair of fire-tongs, a tray and a cake of tallow, to satisfy the Hiringling Minister, Caleb Cushing, for preaching." The same day he took a gun from Richard Smith, "to pay the priest for preaching in Salisbury." After a few years the Quakers were exempted from paying a minister's rate.

In 1705, the Quakers in the vicinity of Amesbury desiring a house of worship, the Hampton monthly meeting chose a committee of two, to look out a location suitable for the purpose.

In 1710, the Friends' monthly meeting received five books, sent from England.

At a commoner's meeting in Hampton, February 19, 1711, Joseph Chase and John Stanyan, "that have a considerable right in the land granted for a parsonage," requesting that the people called Quakers might have some satisfaction, it was voted that their request be granted, and that twelve acres of land be laid out to them. "Pursuant to which, we the lotlayers of the said town, whose names are underwritten have laid out the said grant this 11 day of May, 1711." Then follows a description of the land, "to the eastward of the Falls river." Signed by Samuel Dow and Jonathan Moulton, Lotlayers.

At the Friends' monthly meeting at Amesbury, in November, 1721, a communication from the quarterly meeting was read, asking their opinion in regard to wearing wigs. At the next monthly meeting, at Hampton, the following conclusion was reached: "The matter above mentioned consarning y^e Wearing of Wigges was Discorsed & It was concluded by this meeting y^t y^e Wearing of Extravegent Superflues Wiggs Is all to Gather Contreary to truth."

In 1728, a collection was taken by the Friends towards repairing the Boston meeting-house; for which the Hampton Friends contributed five pounds, ten shillings.

CHAPTER XXII.

REV. WARD COTTON'S MINISTRY — THE NORTH HILL PARISH. 1781-1767.

REV. WARD COTTON, PASTOR.

MR. Ward Cotton delivered the first sermon which he preached in Hampton, in July, 1731: How long he remained here immediately after that time, we do not know. He was chosen by the town in September, 1733, to assist Mr. Gookin the next three months, and the term of his engagement was afterward extended to the time of the annual town meeting the next spring.

At that meeting the freeholders voted to settle him in the work of the ministry, as colleague with Mr. Gookin, provided they could agree upon the terms of settlement. The terms first offered not being satisfactory, they were soon after modified so as to read as follows:

"We will yearly give Mr. Ward Cotton £100 in paper money of the present currency, and £20 in provision at the same lay that the Reverend Mr. Gookin has his, during his continuance in the ministry in this place, and after four years are expired, we will add £5 a year until the salary amounts to £120 a year in paper money, besides the £20 in provision; and we will provide him a convenient parsonage-house and land, &c., sufficient to keep two or three cows and a horse, and what wood may be necessary; and we will not exceed a year before we have these things in some forwardness, and in the meantime we will provide him some convenient place to dwell in."

At a church meeting on the 9th of May, the following vote was passed: "Whereas this town hath chosen Mr. Ward Cotton for their minister with their present minister, we do now choose him to be our pastor with our present pastor." Mr. Christopher Page and Mr. Samuel Palmer, Jun.—two of the town's committee—were chosen on the part of the church, "to wait upon Mr. Cotton with this vote, and to pray his answer." The record says, "They return'd with his answer of acceptance."

It was then decided that the ordination should be on Wednesday, the 19th of June, and that the following churches be invited to form

the council, viz. : The churches in Newton and Providence, both the churches in Salisbury, both the churches in Portsmouth, and the churches in Exeter, at the Falls, in Greenland and in Stratham. The four deacons—or any two of them—were authorized to sign the letters missive. As a preparatory step, the church voted to observe the 23d day of May as a day of fasting and prayer.

The ordination took place as arranged. Rev. William Allen, of Greenland, offered the introductory prayer; Rev. John Cotton, of Newton, Mass., a brother of the candidate for settlement, preached from 1 Thess. 2 : 4; Rev. John Odlin, of Exeter, made the ordaining prayer; Rev. Caleb Cushing, of Salisbury, Mass., gave the charge; Rev. Jabez Fitch, of Portsmouth, the right-hand of fellowship; and Rev. Henry Rust, of Stratham, offered the concluding prayer.

This is the first instance, in which at an ordination among this people, we find any mention of a *sermon*. It seems probable that, at former ordinations, there had been no sermons preached by others than the persons to be ordained.

At the time when Mr. Cotton became pastor of the church, there were 253 members in full communion—84 males and 169 females. Though he was settled as colleague with Mr. Gookin, yet on account of the feebleness of the senior pastor at that time and of his death a little more than two months afterward, Mr. Cotton may be regarded as having the whole charge of the pastorate from the time of his ordination.

About three years after, a church was formed in Kensington, sometimes called *the third parish in Hampton*. Fourteen persons, including Mr. Jeremiah Fogg, the pastor elect of the new church, were dismissed from this church "in order to their being embodied into a church state in y^e Third Parish of this Town," on the 6th day of October, 1737.¹

At a church meeting in the following spring—about seventy brethren being present—the following votes were passed : "Y^t a Committee of seven Brethren be chosen to assist the Pastor in many affairs relating to y^e advancement of y^e Spiritual welfare of this Church & Congregation."

"Y^t Christopher Page, Deacon Josiah Moulton, Benjamin James, Capt. Jabez Smith, Joshua Lane, and Joseph Philbrick, be the Committee for this purpose."²

"Y^t they shall from time to time consult & advise with their Pastor, & take no steps in any affair without his knowledge, or at least soon after acquainting him with the same."

¹See last chapter.

²A seventh was not chosen.

This was probably the origin of a "standing committee" in this church, the propriety or the benefit of which is at least questionable. About one hundred years later, it was abolished.

Another vote passed at the same meeting, is the first intimation that we have, of any money being raised among this people for missionary purposes. The vote is thus recorded: "To have a contribution in some convenient time to promote y^e preaching of the Gospel in y^e Towns of Providence, South Kingston & Westerly within y^e Colony of Rhode Island." It was also voted, that the money, when collected, should be put into the hands of the pastor, to be delivered to Dr. Colman and Dr. Sewall, of Boston, for the purpose designated. The contribution proposed was taken up on the Sabbath near the middle of April, and amounted to "upwards of £20 in money." About three months after, a letter acknowledging the receipt of the money, was received from Dr. Colman and Dr. Sewall, and read to the people on the Sabbath.

"Mr. Thomas Bernard (Barnard)¹ being called to settle as Pastor to y^e 2^d Church in Newberry, was dismiss'd from us to y^e same," January 21, 1789; and Dea. Josiah Moulton, Maj. Joshua Wingate and Capt. Jabez Smith were chosen messengers to accompany the pastor to the ordination.

NORTH HILL PARISH.

In the spring or early summer of 1738 a dispute arose, which seriously threatened the peace of the church and, in fact, continued to vex both church and town for several years.

A considerable number of people living in the north part of the town, having already built a meeting-house there, requested the town to free them from paying taxes for the support of Mr. Cotton, while they had preaching at their own house; but the town refused to grant their request. They therefore had recourse to the General Court the next November, petitioning to be constituted a parish, and were successful in their application. The new parish was called NORTH HILL.²

In the autumn of the following year, many of the members of the church, who lived in that part of the town, requested a dismission for the purpose of being organized into a church in connection with the new parish. The request having been considered by the church, and a vote taken, was not granted. No reasons are assigned in the record.

¹Son of Rev. John Barnard of Andover, Mass.; born in that town, Aug. 17, 1716; ordained pastor of the 2nd church in Newbury, Jan. 31, 1739; resigned the pastoral office Jan. 18, 1751; was installed pastor of the 1st church in Salem, Sept. 18, 1755, and died Aug. 5, 1776, aged 60 years. (See Chap. XXVI.)

²Chap. XI.

It may be, that a majority of the church considered the organization of another church unnecessary, and on that account voted against the request; or they may have thought that the support of another minister would prove burdensome to the town.

A second application for dismission having been made in October, the church again refused to grant it—only fourteen members voting in favor, while thirty-seven voted against it. The North Hill brethren then called a council to consider and act upon the case. The church appointed Jabez Dow, Christopher Page and Samuel Palmer, Jun., to “be a Committee joyned with their Pastor to send in what we shall think proper to the Council of Churches, which are to meet at y^e Desire of N[orth] Hill Brethren.”

At another church meeting about North Hill affairs, October 30, —more than sixty of the brethren being present—the statement which the committee had prepared to lay before the council, having been read, was approved by the church, and the committee were directed to send it to the council. This having been done, the council sent to the church a “declaration,” signed by the North Hill people, which the church would not accept because they “did not think it express & full enough.” After this the church voted that they were ready for a conference with a committee of the council. Such a committee met the church and “offered all they had to say . . . and then withdrew.” The church, after a reconsideration of the whole matter, passed the following vote: “That we have done what we think right & just in this affair as to not dismissing the brethren and others at North Hill, and that we will not be any farther concerned about these affairs.”

The next day the church at North Hill was organized without the consent of this church, and a pastor was ordained.

That the first church soon became reconciled to these acts, is evident from the fact, that they not long afterward, and on several occasions, dismissed persons from their own communion, to unite with the church at North Hill.

THE PASTOR'S SALARY UNDER A DEPRECIATED CURRENCY.

On account of the depreciation of the paper currency, the value of Mr. Cotton's salary was considerably less, a few years after his settlement, than at the time when the contract with him was made. To indemnify him for this loss, the town at many different times, granted to him additional sums. The first instance of such a grant was on the 13th of March, 1789, when the sum of £20 money in bills of credit was voted to him for the ensuing year. The same sum was voted

from year to year, till 1743, when it was voted to add £40 old tenor to his salary for the ensuing year. In March of the year preceding, the town also voted "that the Rev^d. Mr. Cotton should have a contribution given him by the town on the sacramental Sabbath in April for his more than ordinary labors among his people that year."

There is no intimation in the last vote as to the occasion of the increase of the pastor's labor at that time. On turning to the church records, however, it will be seen that there was then an unusual amount of religious interest in the town. It was the period of "The Great Awakening"—the time when Rev. George Whitefield was laboring with great success among the New England churches. The pastor of this church sympathized with Mr. Whitefield in his views and practices. As the result of the awakening in this town, ninety-three persons were received to the First Church during the year 1742. Of this number, forty-one were admitted in March, and thirty-three in April. At this time, the limits of the parish had been very much reduced, on account of the formation of the church and parish in the north part of the town, a few years before.

A contribution for Mr. Cotton was afterward taken in the month of April, annually, the town voting it from year to year, and generally without assigning any particular reason; but in 1743 it was said to be "for his great labor," and in 1745, "for y^e support of y^e Lecturers."

As the currency depreciated, the sum voted, to make good the pastor's salary, was necessarily increased, till in 1750 his £120 had become £480 old tenor. After this, for several years, the annual salary was £360. In 1756 however, the currency still depreciating, £560 were paid. The next year, Col. John Weeks, Capt. Jonathan Moulton and Jonathan Shaw were chosen a committee to determine what sum should be allowed. In this manner or by the selectmen, the sum needed to make good the salary was determined annually, during the remainder of Mr. Cotton's ministry.

THE SECOND SOCIETY OF YOUNG MEN.

One of the means employed by Mr. Cotton to promote the moral and spiritual interests of his people, was to form them into societies, for mutual improvement. How many such societies were formed, we do not know. The regulations, or constitutions, of three, at least, have come to our notice. That the character and objects of these associations may be understood, we here transcribe the articles of agreement, by which one of them was governed. This was the second

SOCIETY OF YOUNG MEN, and was formed during the season of special religious interest, in the spring of 1742.

ARTICLES FOR THE PRIVATE MEETING OF YOUNG MEN, WHO BELONG TO THE SECOND SOCIETY OF SUCH IN HAMPTON, TO WHICH THEY ARE TO SET THEIR HANDS.

We whose names are hereunto set, being sensible that it is not only our duty, but interest, to seek God early, and to encourage and edify one another in the ways of Religion, do for these ends, with the cheerful consent of our Pastor, the Rev. Mr. Ward Cotton, form ourselves into a Society for the worship of God in a more private way, and declare our consent to the following Articles, drawn up by him.

1. That we will meet together for the worship of God on Sabbath-day evenings, at some suitable place, and at all other times that the greatest part of us shall agree upon.

2. Being met, we will, as God shall enable us, by turns perform the several parts of our meeting, namely: we will pray to God and sing his Praises, and read some portion of Holy Scripture, or some good book; but, if any desire for good reasons to be excused from praying, they shall [be].

3. We will bear with one another's infirmities, and not make known anything, of what nature soever, that may tend to the prejudice of our meeting.

4. We do oblige ourselves to go directly from our meetings to our several homes; that is, not to go to, or tarry in, any unworthy company whatsoever.

5. They that would be admitted into our Society, shall be first propounded, and stand so one week, and if the major part do consent, they shall set their names to these Articles, and, if they will, take and keep a copy of them for their serious and diligent perusal.

6. That all manner of disagreements, strife and quarrellings shall be suppressed by us, and we will live in love and peace.

7. When we are absent from our meetings, we will endeavor to carry ourselves so as that none may justly speak evil of us.

8. If any of us see or hear any of our Society say or do anything unbecoming a member of such a Society, we will reprove them with a spirit of meekness, love and tenderness.

9. But if any, notwithstanding such reproof, continue in any evil courses, we will debar them from coming to our meeting, till there shall appear some signs of repentance or reformation; but in this and all other cases that may seem to require it, we will ask advice of our Pastor.

10. We will endeavor to get and keep in our minds an awful sense of the bonds we are under by our Baptism, to be the Lord's and in due time to approach the table of Christ.

11. If any one leaves the Society by marriage, or for any other good reason, he shall acquaint the Society therewith, that so they may no more expect him, and that he may have their earnest prayers for him.

12. The first Sabbath-day night in every month, we will read over these Articles, and call over our list, so that, if any one has been absent, he may in a brotherly way be asked the reason of it.

13. We will avoid all worldly and unsuitable discourse, before and after meeting.

Finally. We hope that the grace of God will be sufficient for us, and that his Spirit will help our infirmities, and that he will fulfil that gracious promise, Matt. 18: 20.—“Where two or three are gathered together in my name, there am I in the midst of them.”

And now, my young people, for whom I have drawn up these Articles, let me tell you that the eyes of God and man will be more upon you than ever, and as for me, I shall have no greater joy than to see and hear that you walk in the truth, and in order hereto you shall have my earnest prayers for you; and to the blessing of God I commend you, hoping that you and the other Society of young men will ever be blessings and comforts to one another, and, in your day and generation, to the church and people of God here. Amen & Amen.

Hampton, February the 5th in the year 1741-2.

John Marston.
Simon Dow.
Josiah Moulton.
Samuel Brown.
John Tuck.
Nath^l Batchelder.
Amos Knowles.
Joseph Philbrick.
James Garland.
Ephraim Marston.
Benj^a Batchelder.
William Hues.

James Philbrick.
Simon Marston.
Jonathan Godfrey.
Benj^a Philbrick.
Ellsha Marston.
Samuel Palmer.
Richard Muchmore.
Daniel Philbrick.
William Marston.
Joseph Dow.
Simon Jackson.

In 1744, the church purchased four new flagons for £21 and four new silver cups for £64 7s.

After the reduction of Louisburg, in 1745, and while a military force from New England was still maintained there, the committee of war, of Massachusetts, invited Mr. Cotton to go to Cape Breton and remain a few months as a chaplain. He laid the subject before the church in February, 1746, but only ten votes were given in favor of his going, and those by persons who “had children or other relatives there.”

Early in December, 1749, a public fast was observed, as recommended by the Convention of Ministers in New Hampshire. During the next year, there appears to have been more than ordinary religious interest, if we may judge by the number of admissions to the church. In the course of the year, twenty-six persons were received into full communion. In 1754 twenty-five were admitted, and in 1756. nineteen. From that year to the close of Mr. Cotton's ministry, but few were admitted.

In the spring of 1750, an arrangement was made for selling several tracts of the parsonage land for cash, the interest arising from the proceeds to be appropriated for the payment, in part, of the minister's salary. This plan met with considerable opposition, and twenty-nine persons entered their dissent. The ground of their opposition is not stated.

Mr. Cotton was of an ardent temperament, and when preaching, sometimes nearly lost control of himself. On such occasions, a signal from one of his deacons, which he well understood, instantly restored his self-possession. He seldom confined himself wholly to what he had written, but generally added some extempore remarks. Each sermon usually occupied an hour in its delivery. When he began to preach, his hour-glass was turned and placed on the pulpit by his side, and when the last sands had run out, his sermon was brought to a close. On one occasion, owing to some obstruction, the sand failed to run as usual, but the preacher did not observe it till his sermon had been protracted to an extraordinary length. When made aware of the fact, he exclaimed: "I might preach and preach, to all eternity—and the sand would not run out!"

It was Mr. Cotton's habit to preach several sermons from the same text, and from some, he preached many times. For instance: he preached *eight* sermons from I. Cor. xiii: 1-8 and 18. From Gal. v: 17-25, he preached *thirteen* sermons; and no less than *thirty-one*, from James iv: 7—"Resist the devil and he will flee from you."

Gladly would we draw a veil over the last years of Mr. Cotton's pastorate, for it ended in sorrow. Suspicions were excited and darkly hinted, several years before any definite charges, affecting his moral character were openly brought against him. But such charges were at length preferred. A council was called, which convened on the 22nd of October, 1765, being composed of ministers and delegates from the following churches: the church in Newburyport, the Second church in Amesbury, the church in Newmarket, the church in Rye, the Second church in Salisbury, the First church in Exeter and the church in Brentwood. The council was organized by the choice of Rev. John Lowell, of Newburyport, as moderator, and Rev. Samuel Webster, of Salisbury, as scribe.

After giving both parties a public hearing, and considering the case "with great care and diligence," the council came to a result unfavorable to the pastor. In making up their result, they gave their opinion in relation to the several charges separately. They mentioned some extenuating circumstances, particularly the fact that Mr. Cotton's mind had been greatly impaired by a paralytic shock. But after making all

due allowance for this, the council said: "Thus to our great grief, it appears that the church have sufficient ground of uneasiness with their pastor, and have supported the spirit and tenor of their charges against him." They therefore advised the church and people to give him a dismission, and him, to accept it.

Mr. Cotton was accordingly dismissed, November 12. He continued to reside here for some time afterward, and was at length restored to the communion of the church. He eventually removed to Plymouth, where he died, in 1768. [See Genealogies —Cotton (4)].

THE PARSONAGE LAWSUIT.

Troubles between this town and North Hampton, on account of parsonage property, had been rankling a long time. Several years after the removal of Madam Gookin to East Kingston, the house and barn built for her use were sold;¹ and, since North Hampton had always continued to pay its proportion of her pension, the old town voted that North Hampton have its proportion of the money received from the sale. This was satisfactory; but there were various pieces of parsonage land lying, some in one town and some in the other, the whole income from which, the old town appropriated, while the new town claimed its proportionate share for the use of the church at North Hill. Both parties being tenacious of what they considered their rights, an action of ejectment was brought in the name of Rev. Nathaniel Gookin, of North Hampton, against Joseph Taylor Weare, Benjamin Mason, Benjamin Batchelder and Samuel Blake of Hampton; and Thomas Haines, Jr., Josiah Marston, Morris Lamprey, Sr., and Benjamin Lamprey, Jr., of North Hampton Parish; all of whom were in possession of land called Parsonage land, belonging to Hampton, one half of which, the said Gookin demanded of the above-named persons as his property, etc.,—said action to be tried the first Thursday following the first Tuesday in December, 1757.

The above-named men leased the several parcels of land in question, and Mr. Gookin claimed one-half the rents "during the term of his ministry." This town chose Mr. John Sanborn and Dr. Anthony Emery, agents, with full power to "answer, prosecute and defend." The next year, owing to existing litigation with Dr. Emery in the small-pox case,² his power as agent was revoked, and Col. Jonathan Moulton chosen in his room, Mr. John Smith to serve with him.

As with many another lawsuit, this dragged through the courts for many years, but North Hampton eventually gained the suit. March 19, 1765, Christopher Toppan, Esq., and Jeremiah Towle were chosen

¹ p. 302.

² p. 306.

a committee, to examine Colonel Moulton's accounts, as agent for the town against North Hampton. At an adjourned meeting, April 9, that duty was transferred to the selectmen.

Again, December 1, 1766, it was voted, that the agents be empowered to complete the appeal from judgment of the Governor and Council for parsonage lands, given North Hampton, to the King and Council at Great Britain. The appeal, however, was not made, a better solution of the difficulties having been devised.

Jonathan Moulton, Anthony Emery, and Thomas Nudd, Esquires ; Jeremiah Marston, Gent. ; Josiah Moulton, Gent. ; John Lamprey and Jeremiah Towle, yeomen — all of Hampton : — and John Leavitt, Esq. ; Abraham Drake, Gent. ; Caleb Marston, Jonathan Page, Reuben Dearborn, Joseph Hobbs, yeomen, and Levi Dearborn, physician, — all of North Hampton — were chosen a Committee “to hear & consider the proposals made relative to a settlement concerning the Parsonage Lands belonging to said Hampton & North Hampton.” On the 20th of January, 1767, they met and agreed to report to their constituents respectively the following terms of settlement : ‘That the parish of North Hampton should bear their own charges in all past lawsuits concerning said parsonage, and also as to a further division of said parsonage—but should not be required to reimburse to Hampton, any charges that they had already recovered by execution, and that they should have, including what they had already recovered by law —“One sixth part of the Parsonage belonging to said Hampton & North Hampton, wherever of right it may be found,” on condition that North Hampton should relinquish and quitclaim to Hampton all other demands whatsoever relative to said Parsonage. It was agreed that in the division both quantity and quality should be considered, and that the part set off to North Hampton should be in said Parish or as near as may conveniently be.

On the 26th of February, 1767, the same committees in behalf of the two towns (or parishes), passed deeds — the members from Hampton quitclaiming to North Hampton all “right, title, interest, claim and demand” that Hampton has “in and to two Tracts or Parcels of Land (called the Parsonage) Situate in Said Northampton, being three North Divisions Shares (So called) Containing Ninety Acres more or less, being the whole of the three North Division Shares layd out as parsonage in Northampton aforesaid And also one other Share of Land called Rockey Nook, being likewise Parsonage Land in Northampton aforesaid, containing twenty acres more or less,” — and paying forty pounds Lawful money :—and those belonging to North Hampton quitclaiming to Hampton “All the Right, Title, Interest, Claim & Demand”

that North Hampton has "in & to all the Parsonage Land (so called) that now doth, or ever did belong to the Township of Hampton, as Land for the use of the ministry, however laid out or bounded," except the portion above mentioned as quitclaimed to North Hampton by the Committee of Hampton.

These instruments were executed in presence of Richard Jenness 3^d and John Pickering as witnesses, and acknowledged before Rich^d Jenness, J. P., February 26, 1767.

CHAPTER XXIII.

REV. EBENEZER THAYER'S PASTORATE. 1765-1792.

CANDIDATES MARSH, THAYER, SCALES AND BELKNAP.

AFTER the dismissal of Mr. Ward Cotton from the pastoral office which he had so long filled, the people did not readily unite in the choice of a successor. This resulted from several causes. Ever since the revival in 1742, there had been among the members of the church a disagreement on some points in theology. A considerable portion of them adhered to the doctrines held by their Puritan ancestors, while others were more lax in their sentiments. During the recent difficulties with their late pastor, there had also been a great difference of opinion, some using all their influence in removing him from his charge; others sympathizing with him, feeling that he should be judged more leniently on account of his mind being impaired by disease. The alienation thus occasioned, still remained, and made it more difficult to unite in the settlement of another pastor.

During Mr. Cotton's illness, seven or eight months before the close of his pastorate, the town hired Mr. John Marsh to preach for a time. That he was here at the beginning of 1766 appears from the town's vote "*to continue* Mr. Marsh to preach with us as a minister for the present."

Soon after, there was a movement on the part of Mr. Marsh's friends, to have him settled as pastor of the church. To this end more than thirty of the freeholders petitioned the selectmen to call a meeting to see if the town would give him a call to settle. It did not augur well for their success, that, about the same time, others of the freeholders, to the number of fifty, or more, signed a petition to the selectmen, for a meeting to see whether the town would employ one or more gentlemen to preach a few Sabbaths before calling any one to be settled, and also to have Mr. Marsh "stand probationer" till a choice should be made.

The selectmen called a meeting, to act upon the subjects named in both petitions. There is no record of any action whatever at the meeting on the question of giving Mr. Marsh a call to the pastoral office. Jonathan Moulton, Esq., Anthony Emery, Esq., Capt. Josiah

Moulton, Dea. Samuel Dow and Christopher Toppan, Esq. were chosen a committee to ask advice of neighboring ministers, and then apply to two gentlemen of credit, whom they should recommend, to preach three or four Sabbaths each. It was then voted that Mr. John Marsh should "stand probationer for us" until the town come to a final choice of a man to settle here in the work of the ministry.

The committee employed Mr. Ebenezer Thayer and Mr. Stephen Scales, agreeably to the instruction given by the town. After hearing each of them three Sabbaths, the freeholders were called to decide whether an invitation to settle in the ministry should be given to any one of the three candidates, Messrs. Marsh, Thayer or Scales, and, if so, to which of them. It was voted to give Mr. Marsh a call, and the meeting was then adjourned two weeks.

At the adjourned meeting, it was voted to reconsider the vote passed at the last meeting for giving a call to Mr. Marsh. This result was brought about by a union of action between the friends of Mr. Thayer and those of Mr. Scales. It is also probable that some, who had at the former meeting voted in favor of Mr. Marsh, now voted for a reconsideration, that they might have further opportunity of hearing the preacher who had been with them on the last two Sabbaths. This was Mr. Jeremy Belknap—afterward favorably known by his *History of New Hampshire*.

It was also voted to dismiss all three of the gentlemen named in the notification from "settling here for the present, considering our circumstances."

These men having been set aside, it was then voted, though not without opposition, to hire Mr. Belknap to preach two or three Sabbaths. At another meeting, two weeks later, it was voted to employ him two or three Sabbaths more. The vote in his favor was large, although thirty-four persons entered their dissent.

MR. THAYER, THE CHOSEN PASTOR.

It was now feared by the opponents of Mr. Belknap, that he would ultimately receive an invitation to be settled as the minister of the town. They agreed to join their efforts to prevent such an occurrence, the friends of Mr. Marsh yielding their preference for him and uniting with the friends of Mr. Thayer, in favor of the latter. A meeting was held on the 4th of June, to see whether the town would agree to employ Mr. Thayer to preach "a number of Sabbaths," with reference to a settlement. This movement was successful, and Mr. Thayer came and preached. Very soon afterward, a town meeting was held, to consider the subject of giving him a call, and it was voted without much opposition, only two persons dissenting at the time. There was,

however, much opposition of feeling which soon after was openly manifested.

The town proposed the following terms of settlement, viz. : To give Mr. Thayer £100 lawful money yearly for his support, £20 of it in provisions at the following prices : wheat at 5s, and Indian corn and barley, each at 8s per bushel ; pork at 8d, and beef at 2d per pound ; 25 cords of wood at 10s. per cord, and £67 10s., in money, and to find him a convenient parsonage house and barn, and to allow him the improvement of the orchard and garden, and the yards around the house, as they were then fenced—the buildings and fences all to be kept in good repair, by the town—and to grant him the privilege of keeping a horse, two cows and six sheep on the Home Parsonage, provided he should cut the hay at his own expense. These proposals were made on condition that Mr. Thayer should quitclaim to the town all his right and title to all the rest of the Parsonage land.

There is no record in this case of any separate action of the church.

Mr. Thayer's letter of acceptance, dated Cambridge, July 18th, 1766, was communicated to the town at an adjourned meeting on the 28th of July. One privilege, not previously mentioned was then granted, viz. : liberty to visit his friends once or twice a year, and to leave the pulpit unsupplied one Sabbath, if he should find it difficult to obtain a preacher.

On the 17th of September, a large council assembled, composed of pastors and delegates from eighteen churches. Two other churches, not represented, had been invited. Of the organization of the council, there is no record. During the session, a remonstrance was presented against ordaining the candidate, a copy of which is here given.

"We whose Names are hear unto Subscribed think it our Duty to appear in this manner at this time, when we Cant See but the Town of Hampton is on the Verge of Ruin, if the ordination of Mr. Ebenezer Thayer Should go on & for Particulars to prove it we say :

First, our meetings have not been Carried on with that Love and unity that is Necessary in the Call of a Gospel Minister, for it never appeared to us that those that wear for mr. John Ma[r]sh had an[y] regard for Mr. Thayer untill there was the Largest Vote for mr. Belknap that had been for any Gentleman at all, so we have no Reason to think it out of Love they have done it, but to keep Mr. Belknap from Settleing among us. 2ly. And as those Gentlemen have brought it about to vote Mr. Thayer So Large a salary, we can never pay it, which will Soon cause those that have voted it to Grumble when they are forced to pay it themselves ; for we are Determined to find out some way to remedy it, and for farther Reasons on the subject we are Ready to answer any pearson that will ask us for further Light.

Phillip Towle.
John Nay.
Nathaniel Towle.
Samuel Page.
Benjamin Page.
Samuel Towle.
Joshua James.
Thomas Drake.
Joseph Garland.
Jothan darbon.
Joseph Towle 8^d.

Phillip Smith Marston.
Phillip Towle Jun.
Joseph Towle.
Josiah Shaw.
James Sanborn.
Amos Sanborn.
Jonathan Shaw.
John Towl[e].
Joseph Towle [Jun].
Amos Towle.
Simon Lane."

The object of the remonstrants was not attained. Mr. Thayer was ordained pastor of the church. Rev. Paine Wingate, Sen., of Amesbury, "began the solemnity with Prayer." Rev. Andrew Elliot, D.D., of Boston, preached from 2 Timothy 2: 15.—"Study to show thyself approved unto God." Rev. Nathaniel Appleton, of Cambridge, gave the charge; Rev. Nathaniel Gookin, of North Hampton, "prayed after the charge," and Rev. John Lowell, of Newburyport, gave the right-hand of fellowship.

A fortnight later, the new pastor was married to Martha Cotton, a niece of his predecessor, Rev. Ward Cotton.

At the time of Mr. Thayer's ordination, there were 246 members of the church—92 males and 154 females.

Among the most decided in their opposition to the settlement of Mr. Thayer, were Deacon Joshua Lane and Cornet Simon Nudd. On Saturday, the 14th day of June, 1766, the next day after the selectmen had posted their warrant for a town meeting for giving Mr. Thayer a call, Deacon Lane had been "down to town," and on his return, as he was passing the house of one of his sons, he was accosted with the inquiry, "What news, Father?" "Oh," said the deacon, "a dark cloud, I fear is gathering over Hampton in relation to the ministry." At that very time, a cloud was rising in the west, which soon gathered into a shower. Deacon Lane, having reached home, was standing in the doorway, after the shower had apparently passed by, when he was struck dead by the lightning. Mr. Thayer attended his funeral. Deacon Lane was a good man, highly esteemed for his piety. His opposition to the settlement of Mr. Thayer arose from his dissatisfaction with some of his doctrinal views. He distrusted his orthodoxy.

The next day after the ordination, one of Cornet Nudd's children died, and the new pastor was called to attend the funeral—the first after his ordination. These occurrences were regarded, *at the time*, as special providences, and they served to break down, in a great measure, the asperity of feeling in the opponents of Mr. Thayer. His kind disposition, too, and his affable and gentlemanly manners, and

above all, the purity of his life, had a wonderful influence in subduing opposition, as the people became better acquainted with him. A few persons, however, who, like Deacon Lane, regarded him as unsound in doctrine, were never satisfied with his preaching. Some of these, with a very few others who were influenced by different motives, early withdrew from his ministrations, and connected themselves with the Presbyterian church formed in Seabrook about that time.

Among them was Capt. John Moulton, who became an elder in that church. He and Mr. Amos Coffin requested the town to release them from paying taxes for the support of Mr. Thayer. As the town did not grant their request, they and several others petitioned the General Court for the same purpose. The town, at the annual meeting in 1769, chose Capt. Josiah Moulton, and Capt. Jeremiah Murston to appear before the General Court, and show cause why their prayer should not be granted. At the same meeting the town voted "to give Amos Coffin and Stephen Page their minister's rate which they had not paid—they promising to pay their minister's rate for the future." Four years afterward, the town voted to give Capt. John Moulton, and Philip, Nathaniel, and Samuel Towle, their minister's rate which was then unpaid.

THE "OLD PARSONAGE" OF TO-DAY.

January 19, 1767, it was voted "to Rebuild the Parsonage House,"—"that said House shall be done chiefly by Labour," "to choose a committee to Draw a plan" and to determine how to proceed "to equalize each man's proportion of labor." A committee of nine was chosen. February 8, same year, voted, "to Build the parsonage House 40 feet long 32 feet wide and 17 feet Posts;"—"the common Labourers shall have 45 shillings old tenor & a gill. of Rum per Day;"—"to allow for oxen a yoke 40 shillings Pr Day;"—"to choose a committee in charge of the work;"—"voted, Thomas Nudd, Anthony Emery, Esq", John Lamprey, Jere: Towle, Cap: Jere: Marston, Samuel Drake, William Lane, James Johnson, Morris Hobbs, Josiah Dearborn & John Taylor Jun^r are empowered & chosen for the aforesaid committee & that they shall have the same wages of common Labourers pr Day."

The original contract between this committee and the builders may still be seen among the papers of a descendant of Thomas Nudd. It is a lengthy document, abounding in capitals and ingenious spelling, and without punctuation. The contract and the above votes serve to quicken the imagination as we see the efforts of the people to find for their new pastor, Rev. Mr. Thayer, "a convenient house," according to their agreement; and to picture him, with his wife and baby, domiciled in their fine abode. with its mouldings, architraves and

cornices, its great fireplaces and shining dressers. Let it add to our interest to know that the same house sheltered all successive pastors of the old church, till it was sold, in 1871 ; and that it stands to-day, altered, indeed, out of all semblance to the original plan, but with the same heavy oak frame, apparently good for another hundred years.

LINING THE PSALM.

It would be interesting, were we furnished with sufficient data, to exhibit the different methods of singing, as a part of the devotional exercises of the Sabbath, practised here at different times since our history began. But no record or other document has been found that throws much light on the subject, so far as relates to our own place. The probability is, that the practice here was not essentially different from the practice in New England generally. The metrical version of the Psalms used by most of the early planters, was that of Sternhold and Hopkins, which was made in England about the year 1550, and was the authorized version of the Established Church. So little poetic merit had this work, that it has been well said of its authors, that their "piety was better than their poetry."

In 1640, another version of the Psalms, made in New England, was published at Cambridge. This version, called the New England or Bay Psalm Book, was meritorious principally for the fidelity with which its authors had translated it from the original Hebrew. Yet this work came into general use throughout New England, and held the ascendancy more than a century.

A specimen of these versions may afford some idea of their metrical character. The 9th verse of the 48th Psalm has been selected. In Sternhold and Hopkins it reads thus :

"O Lord, we wait and doe attend
On thy good helpe and grace;
For which we doe all times attend
Within thy holy place."

In the New England or Bay Psalm Book, it is thus :

"O God, our thoughts, have been upon
Thy free benignity;
And that in the midst of
Thy house of Sanctety."

But the people were in a state of progress. Hence, the versions of the Psalms, that, in one generation were so much admired, in a succeeding generation failed to give satisfaction. An improved taste demanded a higher order of poetry in the songs of the sanctuary. In the early part of the year 1772, at a special town meeting called by request of thirty or more of the freeholders, it was voted to ex-

change Dunson's Version of Psalms, for Dr. Watts' Psalms and Hymns. But as some of the people appear to have been reluctant to give up the use of the Psalm Book, endeared to them by many pleasant associations, it was further voted, that Dunson's Version should continue to be used at the morning service on the Sabbath, while it should give place to Watts' Psalms and Hymns at the afternoon service. This arrangement was to continue three months, and if, at the end of that period, any persons should request the pastor to use Dunson's still longer, it might be retained three months longer, and by request at the end of those three months, till the annual meeting the next March. As nothing further is found on the records relating to the subject, it may fairly be inferred, that at the time last mentioned, Dunson had been wholly superseded by Watts.

The psalm was first named and read by the minister, as at the present day. The first line was then read again, usually by one of the deacons, and immediately after sung by the person who was accustomed to "tune the psalm," that is, to pitch the tune and sing the first strain, — usually alone. Then all the congregation who could sing, catching the tune, accompanied the leader through the rest of the psalm, as it was read, line by line. The reading of the psalm was often performed by *two* of the deacons, who read the lines alternately. This was called "lining the psalm," and not infrequently, "*deaconing*" it. Lining the psalm must sometimes have excited a smile on countenances usually sedate, by completely subverting the sense. For example, take the following lines and read them independently of each other, and each line is a paradox.

"The Lord will come, and he will not"—

This having been sung, the deacon proceeded to read the next line, which was equally intelligible:

Keep silence, but speak not."

But when the lines were read alternately by the deacons, it must sometimes have been still more difficult to keep a sober countenance; and it requires no uncommon share of credulity to believe, that there was more of fact than of fiction, in an anecdote of two deacons who on one occasion read a version of the 102nd psalm. One of the deacons, remarkable for the sharpness of his voice read:

"I'm like unto a pelican."

The other equally remarkable for gruffness responded:

"And like an owl am I."

Notwithstanding the objections to this method of reading and singing psalms, which to the present generation appear so obvious and so serious, and which were not unnoticed by our ancestors, this practice continued through a long series of years. The custom probably originated in a scarcity of psalm books, a very few copies only being found in an ordinary congregation. The psalms were then read and sung line by line, so that, in singing, the words might be remembered by all who joined in singing them.

The custom, originating in this manner, was retained long after the necessity which gave rise to it, had ceased to exist. From association, it had become endeared to very many of the people, especially the aged, and it was not without great reluctance, that they submitted to innovations. It was hard for them to give up their old version of the psalms for Dr. Watts' Psalms and Hymns. Another innovation, made at the same time, was regarded with little favor by some of the older people. The town voted "to introduce some new tunes to be sung here on the Lord's day," and Mr. Joseph Philbrick and Dr. Samuel Page were appointed to tune the psalm in the New Version for the afternoon. The town, however, had some regard for the feelings of the aged, and did not make an entire change in the arrangements for singing. As has already been related, the old version of the Psalms was not wholly discarded at once. So also with the former leader of their singing, for it was voted that "Dea. Samuel Dow shall tune the psalm in the forenoon," "Dea. Jon^a Tuck & Dea. Sam^l Dow, to read the psalms."

But these innovations were followed by another, that met with open opposition. A town meeting was held, March 18, 1788, to see if the town would pass a vote to sing a new tune the last time on every Sunday, without reading line by line, as recommended by the late Dr. Watts: But this was voted in the negative. About this time, however, the experiment was actually made. The exact date is not known—whether it was after this town meeting and in disregard of the vote passed, or, which is more probable, before the meeting, and that called in consequence.

During the Sabbath on which the innovation was attempted, the exercises in the house of worship appear to have been performed as usual, till the last psalm or hymn was read by the pastor. Then, instead of waiting for the deacons to read it again, line by line, the leader named the tune and the singing was immediately commenced. This was too much to be borne with patience. One venerable man, who had several years before passed the age of three score and ten, and who had for many years been a consistent member of the church, rose from his seat and turning towards the minister, said, "Reverend sir,

do you allow of all this?" Another man, a few years younger, with less reverence, called out to the singers: "You make a worse noise than the wolves did forty years ago." A third speaker, also aged, in grief at what he regarded as a desecration of the place, gave vent to his feelings thus: "I deont waint to hear sich a neoise in the heouse of Gad." A fourth man was affected still more unpleasantly. He had before this sometimes shown signs of partial derangement. Excitement on this occasion produced such a state, that he called out with earnestness: "Toll the bell, ye devils! *toll the bell!*" The experiment in singing failed, and the meeting closed in disorder. The most aged of the four men mentioned, on reflection, regretted the part he had acted, and the next day, went voluntarily to a magistrate and complained of himself for breaking the peace.

The old order of things was continued a few years longer; but a change was again proposed in March, 1789, when it was voted "to have some new tune sung in the Meeting-house in time of publick worship, once every Sabbath, without reading line by line." The change was then made without producing any disturbance in the community. Not long afterward, the lining of the psalm ceased entirely, and it is now known only as a relic of the past.

MR. THAYER'S SALARY, DEPRECIATED.

As Mr. Thayer's ministry extended through the whole time of the American Revolution and of the Confederation that preceded the adoption of the Federal Constitution, he and his people were subject to the toils and trials attendant upon our country's struggle for liberty. The fluctuating state of the currency occasioned them not a little embarrassment. The people endeavored to act justly towards their minister, but on account of the great depreciation in the value of paper money, it was difficult to know when they had fulfilled the contract made with him at the time of his settlement.

The first vote on record regarding this subject was passed about three years after the commencement of the war, in these words:

"To make the Rev^d Mr. Thayer some consideration, on account of the depreciation of the money, by subscription." The sum raised is not known.

Near the close of the year, the town passed the following votes:

"To make the Rev. Mr. Thayer some allowance in consideration of the advanced prices of the necessaries of life."

"To raise £185, Lawful money, for Rev. Mr. Thayer over & above his money salary, for the present year, on account of the advanced prices, etc."

In the warrant for the next annual meeting the following article was inserted by request of ten or more of the inhabitants :

“To see if the town will reconsider a vote passed the last town meeting to make an addition to the Rev. Mr. Thayer's salary for the year 1779.”

This article called forth from Mr. Thayer the following communication :

“To the Inhabitants of the Town of Hampton in Town-meeting assembled, Mar: 16th, 1779.

GENTLEMEN,

I am extremely sorry that any of my Friends — for I esteem all my People Friends, tho' they don't think exactly with me — should be uneasy on account of what the Town voted me at their last meeting, as a Compensation for the Fall of money. I mention this because I have been informed of some who petitioned to have it inserted in the Notification to have that vote repealed—which, if I mistake not, is not in their Power—. What they voted I was satisfied with— tho' I don't think it made the money good —and had they voted sixfold instead of three, it would in my apprehension have fallen short of a sufficient Compensation, — & this is not only *my* mind, but the mind of many others.

When the affair was first mentioned, I had not the least Tho^t—nay I had not the most distant Desire —of being made whole. That something should be done, I tho^t was but an act of strict Justice, which was the Reason of my offering what I then did to the Town, and I am still of the same Mind.

When I first settled among you, what you then voted for my annual Support, was generous. It was as much as I desired,— yea more perhaps than I should in *Modesty* have asked,—though but little more than was necessary for the increasing Expenses of my Family ; and I think it highly reasonable for Ministers, as well as other men, to have more than a bare Support, that they may be able to leave something to their Families in case they should be taken from them, and not leave them Beggars.— For they any more than other men, are not suffered to continue by Reason of Death.

But, Gentlemen, you must *all* be sensible that the Times are greatly altered. The Money part of my Salary is comparatively nothing. The Wood & Provision, I allow, remain good. The Money Part was added that I might be able to furnish myself with those Articles the Town could not supply me with,—such as Sugar, etc.—Things we can't well do without. But it would be needless to mention how little it will purchase now. However, I shall just mention one or two Particulars ; for Instance, *Sugar*. My Salary five years ago would have purchased Three

thousand weight, whereas now it will purchase but one hundred weight, or a little more.— A great Odds, indeed ! Again,— One Article that I have purchased in Town, & which you will all acknowledge to be absolutely necessary, used to cost me, at most, half a Pistareen, or seven Pence, for which I gave, not long since, Five Shillings ;—& so I could go on & mention with Respect to most other Articles, the great Difference in the Price now & when I settled. You must acknowledge that my Salary cannot be sufficient, and I wonder you don't see it. I can't but think you will see & acknowledge it.

But notwithstanding what I have said, I am far—very far—from desiring to give the least uneasiness to any one of my Friends. I profess to be a Disciple of *Jesus Christ* who is styled the Prince of Peace, I am a Preacher of Peace, & I mean to be a Practiser & a Promoter of Peace & to be an Example herein to you. I, therefore for the sake of Peace, which has ever been my aim, now *freely*, & before this assembled Town, relinquish to every one who is not disposed to assist me in this difficult Day, & to do me Justice, their Part of what was voted me. It is hard, but I had rather suffer wrong than do wrong, & part with my Right rather than make Uneasiness.

I therefore do this purely for the Sake of Peace. I don't do it Gentlemen, because I think it is not my Right, for I do think it *is*. I don't do it because I think you are not in Justice bound to make me some Consideration, for I think you *are*. I don't do it because I could not recover what was voted me ; for I think I *could*. But I do it because I love Peace, & would do all in my Power to preserve & promote it ; Tho' at the same Time I can't but lament that the Love of so many waxes cold to Religion & to the Ministers of Religion.

Religion alone tends to promote the Peace & Happiness of Individuals, & of Societies : without it, we should run into all manner of Disorders & Confusion. Surely then we ought to love Religion ; & if we love Religion, we shall love the Ministers of Religion, & do all we can to render their Circumstances agreeable. I am engaged in a good cause — it is the Cause of God,—& I mean not to desert it, so long as I can live. If I am faithful, I doubt not I shall have my Reward ; and I live among so kind a People, that I don't think they will let me suffer.

Upon the whole, I hope, Gentlemen, as I so *freely* for the Sake of Peace, give up what I look upon as my just Due, there will be no Uneasiness among you on *my* account, nor on any other. May you all study the Things that make for Peace. May you act *now* and at all Times, as under the immediate Inspection of the Omniscient God. May all Things be done decently & in order ; and God grant we may all so conduct here as that we may meet at last in the world of perfect Peace & Love. — Amen.

Eben^r Thayer."

This communication appears to have had some influence upon those who had asked for a reconsideration of the vote for indemnifying Mr. Thayer. The article in the warrant, which called forth this letter from the pastor, appears to have been passed over without being acted upon at all, so far as we can judge from the record of the meeting. For nine years longer, however, the question remained unsettled, but in December, 1788, the town voted: "That on condition of the Rev^d Ebenezer Thayer's giving the town of Hampton a Receipt in full for his money salary up to March, 1786, the selectmen [should] give to him their note of hand for the sum of £67-10^s Lawful Money, it being for making good to him [his loss by] the depreciation of money." This appears to have been a final settlement of that embarrassing subject.

MR. THAYER'S DEATH.

From this time, nothing occurred, so far as is known, to interrupt the harmony between pastor and people, till the close of his ministry, which terminated only with his life. His death occurred in the early part of autumn, in the year 1792; and was very sudden. On the first Sabbath in September, he performed the usual public religious services. The next day he made several pastoral calls, being then in his usual health. On Wednesday evening between ten and eleven o'clock, he was seized with a violent pain in his stomach. A physician was immediately called, but no relief was afforded, and when the sun rose on Thursday morning, September 6th, he lay in the agonies of death, and a few minutes afterward expired. The tidings spread rapidly through the town, and fell heavily on the ears and the hearts of his stricken people, many of whom, only four days before, had listened to his teachings from the sacred desk. An event so solemn, so sudden and unexpected, could not fail to cast an air of gloom and sadness over the whole community; but how much would that gloom have been deepened, if the veil that hides the future had been withdrawn, and the people had foreseen the divisions and contentions that soon after they experienced.

The funeral obsequies were performed on Saturday, the 8th, and were attended by a large concourse of people. Neighboring clergymen served as pall-bearers. Rev. Samuel Webster, D.D., of Salisbury, preached the funeral sermon, from Psalm xii: 1. "Help, Lord; for the godly man ceaseth; for the faithful fail from among the children of men." Two appropriate discourses were also delivered the next Sabbath, by Rev. Samuel Langdon, D.D., of Hampton Falls, from Matthew xxiv, 44-46.

Mr. Thayer's age was about 58 years. His pastoral relation to

this people had continued almost twenty-six years. During this time 641 persons had been baptized, and 102 admitted to full communion with the church.

For several Sabbaths after his death, the pulpit, as was then customary in such cases, was supplied by neighboring clergymen, for the benefit of the widow. The town also, besides paying the funeral expenses, appropriated £30 for her use, and allowed her, though without any formal vote, to occupy the parsonage-house several years without paying rent.

Mr. Thayer's sentiments on some points of doctrine differed somewhat from those of many of his ministerial brethren. His orthodoxy was less rigid; but his life was as much above reproach as that of any man. Amiable in his disposition, upright and honest in his dealings, affable and courteous in his intercourse with others, he was greatly beloved by the people of his charge. Five years after his death, his successor in office, addressing those who had been under his ministry, said of him: "The affection with which his name is mentioned, and the tears which do annually drop over his grave, are the surest testimony of *your* attachment, and of *his* virtues." The following inscription is on his gravestone in the old burying-ground.

"In memory of the
Reverend Ebenezer Thayer,

who for nearly twenty-six years dispensed the bread of life to the society in this place; and on September 6th, 1792, fell asleep in Jesus, supported by the Christian hope of a resurrection to eternal life: æ. 58.

While o'er this modest stone religion weeps,
Beneath, an humble, cheerful Christian sleeps,
Sober, learn'd, prudent, free from care and strife,
He fill'd the useful offices of life;
Admir'd, endear'd, as Husband, Father, Friend,
Peace bless'd his days, and innocence his end;
Blameless throughout, his worth by all approv'd,
True to his charge, and by his people lov'd,
He liv'd to make his hearers' faith abound,
And died, that his own virtues might be crown'd."

Mrs. Thayer survived her husband some years, and died in Boston, in 1809; "leaving that good name, which is better than precious ointment." [See Genealogies—Thayer.]

Mr. Thayer's best cane, given to "the senior deacon," descended to Dea. John Lamprey, and is now owned by Dea. Lamprey's great-granddaughter, Mrs. George W. Mace; his "every day cane" is still treasured as a relic, having lately passed into the possession of Dea. James Perkins. Both are of extraordinary length.

CHAPTER XXIV.

THE PRESBYTERIAN SCHISM. 1792-1807.

CANDIDATING.

ALMOST immediately after the funeral services of the late pastor, the people began to confer about obtaining another minister. A town meeting was held on the 1st of October, 1792, for the double purpose of making some provision for the bereaved family, and of providing for the supply of the pulpit. The action taken on the former subject may be found in the last chapter. In relation to the latter, the town appointed the three deacons, Dow, Lane and Lamprey, and Capt. Morris Hobbs, to apply to Mr. Isaac Smith to preach the next four Sabbaths, unless Mr. Shaw¹ should come down seasonably that week to preach the next Sabbath; and also to invite Mr. Nathaniel Thayer, the eldest son of their late minister, to preach "two Sabbaths next after the expiration of the said four Sabbaths."

Whether Mr. Smith preached, agreeably to the invitation, is uncertain, though rather probable. After three of those Sabbaths were passed, the people observed a day of fasting and prayer, according to the custom of the times. Mr. Thayer preached the two Sabbaths specified, but other engagements prevented him from remaining longer, as it was then term-time at Harvard College, where he was tutor.

At an adjourned meeting, some changes were made in the committee for supplying the pulpit. Dea. Dow was dropped, and Maj. Josiah Dearborn and Col. Jonathan Garland were added. The committee were instructed to apply to Mr. Thayer to preach here during the college vacation, which would commence on the first Wednesday in January, and in the meantime to have the desk supplied by others.

Mr. Thayer again occupied the pulpit, agreeably to the desire of the town, and in February, 1793, received from the church and town a call to be settled in the work of the ministry, as successor to his revered father. The call, however, was not unanimous on the part of the church or the town. Of the former body, he received about four-fifths of the votes; and of the latter, 95 out of 140. Sixty-one persons, im-

¹ Rev. Jeremiah Shaw, pastor of the church in Moultonborough — a native of Hampton, expected here to visit friends.

mediately after the vote had been taken by the town, and ten on the second of April following, entered their dissent, declaring that they were not satisfied with the preaching of Mr. Thayer, and that they wished to hear other candidates. They also avowed their determination not to do anything for his support, unless compelled by law. Mr. Thayer declined the call, and the next autumn was settled as pastor of the church in Lancaster, Mass., where he remained through life.

The next person invited to the pastorate was Mr. Daniel Dana; but the vote in this case not being unanimous, though the number in opposition was not large, Mr. Dana thought it not prudent to accept the invitation. A large portion of his subsequent life was spent in the ministry in Newburyport, where he died at an advanced age.

Mr. Jonathan Brown next appears as a candidate, and the town voted by a small majority, to invite him to settle here. When the subject was brought before the church, a considerable majority was found to be against him. Hence he could not be settled according to Congregational usage.

AN EX PARTE COUNCIL.

To negative a call given to any person by a town or parish, is an undoubted prerogative of a Congregational church. In this case, however, some of the friends of Mr. Brown were very indignant that the church should presume to interpose their negative. The minority of the church feeling aggrieved, the majority proposed to them to refer the whole matter to a mutual council, but the proposition was rejected.

The church, wishing for advice, then called an *ex parte* council, consisting of pastors and delegates from the First Church in Berwick, Me., the First Church in Exeter, and the churches in Stratham and Greenland. The council convened October 1, 1794. Before organizing, the pastors and delegates endeavored to obtain an interview with the dissenting members of the church. Failing in this, the council was organized, and having examined sundry papers containing the detail of the proceedings of the church, in the case under consideration, and having also heard the testimony of credible witnesses, they proceeded to answer several questions that had been proposed to them by the church. They gave it as their decided opinion:

1. That the proceedings of the church, as stated in said papers, relative to the affair of calling Mr. Brown to settle in the work of the gospel ministry in this town, appear to have been regular and constitutional.

2. That church members, who have withdrawn from communion and absented themselves for a number of years, ought not to be admitted to vote in the church without the explicit consent of the church.

3. That no man has a right to vote by proxy.

After answering these questions, the council proceeded to give advice agreeably to a request from the committee of the church, "for their advisement and direction to any further measure, that can be adopted, which may have a tendency to promote the interest of religion and restore peace and brotherly love in this church and town." Assuming that the church and town would not be likely to unite in the settlement of Mr. Brown, the council advised to the inviting of some candidate agreeable to both parties; but if this could not be, then for the church to propose to their dissenting brethren the calling of a mutual council to settle their differences.

THE CHANGE TO PRESBYTERIANISM.

It does not appear from the records, that any effort was immediately made to induce the town to employ a new candidate. The advice of the council was judicious, but in acting upon it, there was need of great caution. It was important to wait for a fitting opportunity. In the meantime, the town, despairing of bringing the church to assent to the settlement of Mr. Brown, held a meeting, to consider the scheme of changing the plan hitherto followed in choosing a minister—in other words of becoming Presbyterians. At this meeting, held December 15, immediately after its organization, a remonstrance, signed by sixty-five legal voters, against any action upon any of the articles in the warrant, relating to the settlement of a minister on the Presbyterian plan, was presented and read; but the majority, notwithstanding such strong opposition, immediately voted to "adopt the mode or plan of calling a candidate or preacher to settle in the work of the Gospel ministry, agreed upon by the Presbytery of New York and Philadelphia;" and then voted to give Mr. Jonathan Brown a call to settle in the ministry according to this plan—the vote in the former case being eighty-two for and sixty-five against, and in the latter, eighty for and sixty-four against.

A committee, consisting of Dea. William Lane, Dea. John Fogg, Capt. Caleb Tappan, Lieut. Cotton Ward and Lieut. Benjamin Shaw, was then chosen, to communicate these votes to Mr. Brown.

Before the meeting of the Presbytery, at which the votes were to be considered, seventy-two of the legal voters of the town, including a large majority of the brethren of the church, chose a committee to repair to Londonderry and appear before the Presbytery, to oppose the petition of the town.

The committee represented to the Presbytery the improbability—not to say impossibility—of the petitioners being *conscientious* Pres-

byterians, as the change had been so sudden, and evidently designed to carry a point; and they portrayed some of the evils that must necessarily result from the petition being granted.

The church, meanwhile, desirous of a reconciliation, asked for a mutual council to settle their difficulties; but failing to obtain the assent of the minority, they then offered to allow them to select the whole of the council themselves — one half of the number to be Congregationalists, and the other half Presbyterians — provided that they would agree to abide by the result. This proposition was at once rejected.

The Presbytery regarded with favor the request of the town to be received under their care, but thought it not judicious to place Mr. Brown in the pastoral office, under existing circumstances.

The next candidate was Mr. Abraham Moore, who was introduced by the Presbyterians, and might have been, if they had desired it, settled according to the Cambridge platform, since the church would have consented to his settlement, as he was a very acceptable preacher. But this favorable opportunity for effecting a reunion, was neglected. Mr. Moore was soon after settled in Newbury, where he remained till his death.

Mr. William Pidgin was the next candidate. After he had preached a few times, a town meeting was called to act in relation to his settlement. The warrant for this meeting is very unique, and its language is such as makes it evident, that it was with the selectmen, by whom it was signed, a foregone conclusion that the town would be in favor of his settlement. Immediately following the article for choosing a moderator, we read:

“Whereas, at a full town meeting held in December last, there was a considerable majority in favor of adopting the Presbyterian form of church government, yet as there is a number of our brethren in the church and congregation, that cannot see their way clear to accede to that form, and as we think there is no essential difference, as it relates to the essence of Religion, between that and the Cambridge Platform; and being willing to do every thing in our power for [the] peace and harmony of this town, we are willing to agree with our brethren to adopt the old Cambridge Platform of church government, and at this meeting to give Mr. William Pidgin a call to settle with us in the work of the gospel ministry; and if we should be so unhappy as to be opposed by our brethren in the above proposals, we trust they will not take it unfriendly, if we pursue our application to be adopted by Presbytery, and govern ourselves accordingly, and give Mr. William Pidgin a call to settle with us in the Presbyterian form of church government at this meeting, if the foregoing case should not be agreed upon.”

Two of the selectmen refused to sign the warrant.

After the meeting was organized, October 19, 1795, it was adjourned to the 27th of the same month, at eight o'clock in the morning. At the adjournment, the following vote was passed :

"In case the church of this congregation shall vote to give Mr. William Pidgin a call to settle in the gospel ministry in this town, that the town will accord with said vote & settle & ordain him as minister of this town, agreeably to the Cambridge Platform of church government, any former vote or votes to the contrary notwithstanding."

The meeting was then adjourned *one hour*, probably for the purpose of giving the church a final opportunity to unite in the call. At the close of the hour, the business of the meeting was resumed, and the town voted "to adhere to their former vote, & give Mr. William Pidgin a call to settle according to the Presbyterian form of church government." A poll being demanded, sixty-three persons appeared in favor, and twenty against — the meeting not being fully attended.

The salary offered to Mr. Pidgin was £100 per year, to be paid out of the interest of the fund belonging to the town, and the parsonage rent, and in addition, to keep for him on the parsonage annually, three cows, six sheep and one horse, summer and winter, said Pidgin to be at the expense of cutting the hay for their keeping; also voted to give him the use of the Parsonage house, out houses and barn, orchard and garden, belonging to the town (the buildings and fences to be kept in repair by the town), so long as the said Pidgin should remain their minister.

It was also voted: "that Mr. Cotton Ward, Dea. William Lane, Daniel Philbrick, Dea. John Fogg, Capt. Jonathan Marston, Capt. Benjamin Shaw & Capt. Caleb Tappan be a committee to lay the proceedings of this meeting before the Presbytery at their next meeting, & to pray their adoption agreeably to former votes of the town; and to present the call given to Mr. William Pidgin, in behalf of the town." The meeting was then dissolved.

Early the next morning the committee set out for Londonderry, to urge the Presbytery to receive them as Presbyterians. Their request was granted—those opposed to the proceedings being denied a hearing. Being thus denied, their next recourse was to endeavor to dissuade Mr. Pidgin from accepting the call. A remonstrance was accordingly sent to him, signed by seventy eight legal voters, including more than two-thirds of the brethren of the church, and some who were not members, in which they gave their views of the case and set forth some of the evils that they feared would result to the town, if he should accept the call and be settled in the ministry.

REV. WILLIAM PIDGIN'S MINISTRY. 1796-1807.

The call of the town was communicated to Mr. Pidgin through the medium of the Presbytery. In his answer, after alluding to the magnitude and importance of the work of the christian ministry, and his own insufficiency for it, he turns to the particular field to which he has been invited, and says: "When I reflect, too, that you are not the whole of the Town, but a considerable number is found opposed to the measure—and the degree of uncertainty respecting what may be the result of this disunion, should I accept the call;—and reflect likewise on what might probably be *your* situation, should you now be left, when affairs have come to the present crisis; — these considerations, when viewed, serve to bring me into a dilemma truly solemn and important. Shall I go forward, or not? is the grand question." This question Mr. Pidgin decided in the affirmative, by accepting the call. His answer is without date.

The course pursued by the town appeared so objectionable to the church, that they resolved to make one more effort to arrest it, by an appeal to the Presbytery. Accordingly, at the meeting of that body for the ordination of the candidate, a remonstrance was presented, signed by about the same number of persons as the one previously presented to Mr. Pidgin. The Presbytery, however, voted in favor of ordination. The minority of the old church, seceding, constituted the Presbyterian church, of which Mr. Pidgin now became pastor.

The ordination services were performed on the 27th of January, 1796.

THE COURSE OF THE OLD CHURCH.

The old church was now left in an embarrassing condition. A considerable number of its members, including two of the deacons, had separated from it. About five-ninths of the legal voters of the town had declared themselves Presbyterians; and, being a majority, they consequently had control of the parsonage land, the ministerial fund and the meeting house. The church, under these circumstances, set apart Wednesday the 2nd of March for fasting and prayer, and invited several of the ministers in the vicinity to meet with them and advise in relation to their future course.

The ministers invited were present on the day appointed, forming a clerical council, viz.: Rev. Samuel Langdon, D.D., of Hampton Falls; Rev. Samuel Haven, D.D., and Rev. Joseph Buckminster, of Portsmouth; Rev. Benjamin Thurston, of North Hampton; Rev. William F. Rowland, of Exeter; Rev. James Miltimore, of Stratham; Rev. Jeremiah Shaw, of Moultonborough; Rev. John Andrews, of New-

buryport; Rev. Huntington Porter, of Rye; Rev. Joseph Langdon, of Newington; and Rev. Messrs. Crafts and Perkins.

The public services of the day were held in a dwelling-house, owned by Capt. Morris Hobbs, near his own home, it being the same that was afterward owned and occupied by his son, Dea. Jeremiah Hobbs. A sermon was preached in the forenoon by Rev. Mr. Buckminster, from Acts xv: 39, 40; and another in the afternoon, by Rev. Dr. Haven, from John xiii: 34, 35. Mr. Buckminster's sermon was published, and the following sentences are quoted, as showing the views of the ministers present:

"By our coming and joining in these acts of worship, we publicly declare, that in our opinion, you have not forfeited your christian character, nor your relation to the churches in this neighborhood. We own you as a church of Christ and think that, as you are a majority of that body in this place, and have once and again made conciliatory proposals to your dissenting brethren, which have been declined or rejected, we act consistently, and have the countenance of the brethren at Antioch, with respect to Paul, in being with you this day and recommending you to the grace of God." "Though you may not be able to pray that persons may become Presbyterians, yet pray that Presbyterians and all other denominations of christians may become good men." "If you proceed in your present resolution of seeking a man to set over you in the Lord, be not governed by party names and distinctions, nor seek one who draws his doctrines from human formularies and systems; but seek one who bows to the gospel of the grace of God, that owns no master but Christ, and that is not ashamed of his peculiar doctrines, and will not be a shame to his pure and heavenly precepts; one who, from love to Christ and his cause, will feed his sheep and feed his lambs, and take heed to himself and his ministry."

The next Sabbath after the meeting of ministers, the Congregationalists began to hold meetings by themselves for public worship, and continued that course as long as the Presbyterians maintained a separate organization. Their first preacher was the Mr. Perkins who was present at the council of ministers. He remained here a few Sabbaths only, and on the 17th of April, Mr. Jesse Appleton, who afterward became their pastor, was with the people for the first time, and continued to supply them personally, or by exchanges, till his ordination, which took place about ten months later.

THE CONGREGATIONAL SOCIETY.

An early movement was made for the formation of a religious society, that might, in connection with the church, make provision for the

support of gospel institutions. A petition for an act of incorporation was presented to the Legislature at the fall session in 1796. The petitioners represented that they were conscientiously of the Congregational persuasion, as their ancestors had been from the first settlement of the town; that recently an unhappy dissension had arisen in the town, and a minor portion of the church and a major portion of the town had professed to be Presbyterians and had settled a minister of that denomination, from which act the petitioners had dissented; —that they were desirous of enjoying the ordinances of the gospel agreeably to the dictates of their own consciences, and of being allowed in a corporate capacity to contract with, and settle a minister of their own persuasion:—and they therefore prayed that they might be formed into a distinct parish.

An order of notice was served on the town, and a town meeting called for November 28, to take the subject into consideration. Capt. Jonathan Marston and Capt. Benjamin Shaw were chosen “a committee in behalf of the town, to appear at the General Court to oppose the granting of the petition.” Their opposition was unavailing. The prayer of the petitioners was declared “to be consonant to the spirit of the Constitution and the unalienable rights of men.” An act of incorporation was therefore granted, December 6, 1796, constituting the petitioners, eighty-one in number, with such others as might afterwards join them, a body politic and corporate with continuance and succession forever, by the name of the Congregational Society in Hampton, and enfranchising them and investing them with all such rights, privileges and immunities as were held or enjoyed by any other parish in the State. Provision was also made for admitting new members; and Joseph Dow, Esq., was “authorized to call, and preside at, the first meeting” of the Society.

The first meeting was held at their usual place of public worship, three weeks after the passage of the act of incorporation. Col. Jonathan Garland was chosen clerk, and Joseph Dow, Esq., Maj. Josiah Dearborn and Colonel Garland, selectmen, or wardens. The selectmen were authorized to call all future meetings of the Society. Two days afterward they posted a warrant for a meeting, to act in relation to giving Mr. Appleton an invitation to become their pastor. At that meeting, January 17, 1797, a unanimous vote was passed to give him a call to settle in the work of the gospel ministry; and to give him as a salary the first year, £90, to be paid, £20 of it in provisions at the following prices, viz.: corn, 3 shillings per bushel; pork 3 pence, and beef, 2 pence per pound; also to give him the keeping of a horse, summer and winter; the second year, the same sum, and the keeping of a

horse and two cows, and also to provide him with a convenient house and barn, if he should have occasion for them; afterwards, to give him £95 annually, to be paid in money and provisions as before; also to find him a house, barn and other necessary buildings, the summering of one horse, two cows and six sheep, and grass sufficient for hay for wintering them, and to furnish him with five cords of hard wood and five of pine, annually, during his ministry here.

These proposals were made on condition that Mr. Appleton should agree to release to the society all his right and title to all the parsonage lands and buildings and to all the property, of whatever kind, appropriated to the use of the ministry in the town, whenever he should be legally put in possession of them.

The church also met the same day and on their part unanimously voted a call to Mr. Appleton. Messrs. Jonathan Locke, Abraham P. Towle, Amos Knowles, John Dow and Benjamin Brown Shaw were chosen a committee of the church, and Col. Christopher Toppan, Joseph Dow, Esq, Col. Jonathan Garland, Maj. Josiah Dearborn, Samuel Drake, Samuel Mace and Abner Page, of the society, to wait upon Mr. Appleton and present him with a copy of these votes, and receive his answer.

REV. JESSE APPLETON'S MINISTRY. 1797-1807.

Without much delay, Mr. Appleton accepted the call—reserving to himself the privilege of being absent two Sabbaths in each year, assigning as a reason, the distance at which his relatives lived from Hampton, and the many casualties which might render journeying necessary. He also informed the church and society, that, from the shortness of the time which he had devoted to theological studies, it was necessary that he should be able to follow Paul's advice to Timothy, and "give attendance to reading." This he could not do satisfactorily to himself, if he should be obliged to prepare two sermons every week, and he therefore intimated that he should wish to make frequent exchanges, as he had hitherto done.

Mr. Appleton was ordained on Wednesday, February 22, 1797. The public services were held at the society's usual place of meeting. The sermon was preached by Rev. Samuel McClintock, D.D., of Greenland, from Acts 11: 22; Rev. Dr. Langdon gave the charge; and Rev. Mr. Thurston, the fellowship of the churches.

THE FIFTH MEETING-HOUSE.

Capt. Morris Hobbs' house, before mentioned, in which the congregation had worshipped during the past year, not being sufficiently com-

modious, preparations were already begun for building a meeting-house. Situated as they were, the undertaking was an arduous one, but it was entered upon with a determination to carry it on to completion. A considerable amount of material and labor was contributed, by members of the society, and many of them furnished besides, more or less lumber at a reduced price.

The frame was raised on the 24th of May and the work was prosecuted so vigorously that the house was in readiness to be occupied in less than six months from that time. To provide the necessary funds seasonably, so that the building committee might not be embarrassed, an early sale of the pews was agreed upon. It was voted that they should be sold by vendue to the highest bidder, under certain regulations adopted by the society. These regulations were, in substance, as follows: No bid less than half a dollar should be received, and no pew should be sold for less than forty dollars. One sixth part of the price of each pew must be paid down, and another sixth in twenty days; one-half of the remainder, within six weeks from the day of the sale, and the balance, by the first day of September following. In case any person should fail to make his payments in this manner, he would forfeit the first payment and the pew, to the society. A committee of eight men was then appointed for selling the pews, the sale to take place early in June. As the house was then in an unfinished state, and the pews had not been built, the sales were to be made by a plan already drawn, and accepted by the society.

At the dedication of the meeting-house, November 14, 1797, the pastor of the church preached an appropriate sermon from 1 Kings VIII: 27. The first prayer was offered by Dr. Mc Clintock, and the last, by Rev. Mr. Buckminster. The next meeting in the new house was on Thanksgiving day, two days after the dedication, when Rev. Mr. Thurston, of North Hampton, preached.

THE ECCLESIASTICAL LAWSUITS.

Each of the two churches had now a settled pastor, and for each congregation there was a comfortable house of worship; but here was not an end of their dissensions and difficulties. A considerable amount of parsonage property and ministerial funds afforded ample scope for contention. These funds had been derived from the sale of lands purchased of Rev. Timothy Dalton, nearly a century and a half before, for the use of the church and town, and of other land appropriated by the town at different times for the support of the ministry. The parsonage lands then remaining were from the same sources. The Presbyterians having in their interest a majority of the legal voters of the

town, claimed the right of appropriating the whole income of this property for the support of their own institutions, and had accordingly, at the settlement of their pastor, voted to give him the use of the parsonage buildings, and had made provision for the payment of his salary out of the income of the parsonage and of the ministerial funds. But Mrs. Thayer was still occupying the parsonage, and, acting under the advice of the Congregationalists, refused to vacate it.

In the spring of 1796 the town chose a committee, consisting of Elisha S. Marston, Capt. Benjamin Shaw, Lieut. Cotton Ward, John Moulton, Daniel Lamprey, Capt. Jonathan Marston and Cornet Simon Nudd, "to go to Mrs. Martha Thayer and demand a categorical answer, whether she will move out of the parsonage house which the Town have voted to the Rev. Mr. William Pidgin & quit all claims to any of the Parsonage Lands & Buildings on the same belonging to the Town (which she retains) & remove all encumbrance of hers off the same by a Day appointed by said Committee — she Binding herself by her hand writing to perform the above — they to allow her a time sufficient to accomplish the same." In case of her refusal to comply with their demand, the committee were empowered and instructed "to proceed with her as the law directs, to disposses her of what she withholds from the Town & the Rev^d Mr. William Pidgin." Vote, seventy-two for and fifty-one against; remonstrance presented to the meeting, signed by fifty-three persons.

Mrs. Thayer, having refused to vacate the parsonage house, and relinquish all claims upon the parsonage lands, the town appointed Capt. Jonathan Marston and Oliver Whipple, Esq., for attorneys, to appear in any court of law in this State, to sue and prosecute any action of ejectment commenced or to be commenced against Mrs. Martha Thayer, in behalf of said town. Thus the matter was brought into the civil court.

The Congregationalists did not approve these proceedings, as they believed that the ministerial property had been bought, or set apart by the town for the support of the Congregational ministry alone. They therefore felt themselves justified in advising Mrs. Thayer to keep possession of the parsonage-house, to prevent its falling into the hands of those who, they believed, had in equity no right to it.

In a communication to the town, May 2, 1796, signed by more than fifty Congregationalists, after giving their views of the purpose for which the ministerial property was intended, they add: "Nevertheless, we being willing and desirous to do everything in our power to promote the peace and happiness of the town, and to prevent expensive lawsuits if possible, would propose making choice of an equal num-

ber of the Presbyterian and Congregational societies as a committee, to meet, and, if they can agree upon any mode of accommodation between the parties, then to lay it before the parties in town meeting for their consideration; but if no such agreement should take place, we are ready and willing to leave matters of dispute between us, to the determination of judicious, disinterested men, such as should be mutually agreed upon."

This proposition for a committee of the two parties was brought before the town for consideration more than a year afterwards (July 10, 1797), and Lient. Cotton Ward, Cornet Simon Nudd, Elisha S. Marston, James Leavitt, Capt. Jonathan Marston, Philip Towle, and Benjamin Shaw were appointed a committee on the part of the Presbyterians, "to meet with a committee that is, or may be, chosen by the Congregational Society, to see if they can agree upon a division of the property bought by the town for the use of the ministry" and report the result for the action of the town.

On the part of the Congregational Society a committee was chosen, August 7, consisting of the following persons: Col. Christopher Toppan, Samuel Mace, Daniel Lamprey, Jun., Jonathan Locke, Abner Page, Joseph Dow, Esq., Abraham P. Towle, John Dow and Joseph Towle, Jun.

Having but little confidence that any settlement would be effected by these committees, the society, the same day, chose Joseph Dow and Christopher Toppan, Esquires, Maj. Josiah Dearborn, and Messrs. Samuel Mace and Abner Page a committee to conduct the case if it should be necessary to bring it into court.

The committees chosen by the two parties for consultation were unable to agree upon any plan of accommodation. The Congregational society therefore commenced an action to recover what they considered as rightfully belonging to them, but withheld from them by the town. The suit was brought in the name of their minister, Rev. Jesse Appleton, and was managed by the committee previously chosen for that purpose.

The town, on the 30th of July, 1798, chose Capt. Benjamin Shaw and Capt. Jonathan Marston to manage the defense, with full power of substitution. At the same meeting another committee was chosen to join a similar committee on the part of the Congregationalists, with full power to effect a settlement of all matter of dispute, according to their discretion. The committee were: Cornet Simon Nudd, Capt. Benjamin Shaw, James Moulton, James Leavitt, Elisha S. Marston and Jonathan Marston, 3d.

The next spring it was proposed by the Congregationalists to make

an equal division of all the ministerial property between them and the Presbyterians; or to leave it to disinterested men to make such a division as they should think proper; or to divide the income yearly according to the assessments on the members of the two societies respectively; or to have the town make provision for the full payment of the salaries of both ministers.

When these proposals were submitted to the town for action, on the 19th of March, the town voted to postpone indefinitely the consideration of them, declaring that the whole matter was still with the committee appointed on the 30th of July preceding.

The Congregational society, therefore, met again and appointed a committee of an equal number on their part, and gave them like power. This committee consisted of the following persons: Colonel Toppan, Esquire Dow, Lieut. Daniel Lamprey, Abner Page, Joseph Towle, Jr., and Levi Batchelder.

The committees of the contending parties having failed to make a settlement of their difficulties, propositions similar to those on which the town had declined to act on the 19th of March, were again brought before the town early in the next autumn. The town voted, that, as they had previously contracted with Rev. Mr. Pilgin, to give him the use of the parsonage house and certain lands, together with the interest of the funds belonging to the town, for his support and salary, they would not now be warranted by law to give any part of this grant "to any other minister or society whatsoever;" nor were they "as a town authorized to alien or convey any part of the purchase made by the town in their corporate capacity for their use, to or for any other purpose whatsoever." The articles in the warrant were therefore postponed, the town again voting "to confide in and abide by" the action of their committee formerly chosen.

From this vote, it is evident, that, however desirous the committee might have been, to settle the existing disputes, nothing effectual could be done by them that would be satisfactory to the town, unless the Congregationalists would concede to them the whole ground. This they would not do, as they had full confidence in the justice of their cause, and there were also indications, that, although their suits at law had not yet been decided, they would ultimately be given in their favor.

At the next annual meeting, March 18, 1800, the town directed the selectmen to furnish the agents appointed to carry on or defend the lawsuits between Rev. Mr. Appleton and the town, and Mrs. Thayer and the town, with such money as they might from time to time need, or as the circumstances of the suits might require. A few months

later Capt. Benjamin Shaw was chosen agent to carry on the suits for the town.

At another town meeting, Oct. 27, it was voted to settle these disputes on terms afterward to be agreed upon, and to choose a committee of six, three from each party, to devise, if possible, some plan likely to effect an accommodation between the parties. It does not appear whether any plan of settlement was agreed upon by this committee, to be submitted to the town. A series of propositions, of similar import with those brought before the town on the 19th of March, 1799, and indefinitely postponed, were again offered for consideration, February 2, 1801, but whether by recommendation of this committee or by request of the Congregational society, we are not informed. The town voted to postpone all the articles, and immediately dissolved the meeting.

At the annual meeting of the Congregational society in the spring of 1802 Josiah Marston and Abner Page were chosen and empowered "to take care of the parsonage land belonging to this society and to prosecute any person that shall cut or haul off any wood from the same." The land here referred to was the home parsonage, which had been in the possession of Mrs. Thayer, the widow of the late pastor. Although a writ of ejectment had been brought against her by the town she had never been ousted. She had now, however, voluntarily removed from the parsonage house and given up all claim to the land, and Rev. Jesse Appleton had taken possession of it and was now occupying the house. This being done under claim of *sight*, he could not be dis seized by the town, unless by a writ of ejectment.

In the following summer the society instructed their agents for carrying on the suit against the town for recovering the parsonage property, "immediately to adopt such measures as might have a tendency to bring every matter relative to the affair, to as speedy a determination as possible."

THE INDENTURE OF 1803.

Terms of settlement were at length agreed upon, and on the 24th of March, 1803, an indenture was made between the two parties, by which all their disputes were to be ended. The property that had been the object of controversy was the parsonage house, with the outbuildings; the home parsonage, so called, containing somewhat more than fifty acres, and several other tracts of land situated in Hampton and North Hampton, containing by estimation 174 acres; and besides these, United States 6 per cent. stocks to the amount of \$4,570, with the income accruing therefrom since May 1, 1794.

The indenture now made was based on the assumption that this property belonged equally to the two contending parties. It provided that the parsonage house and out-buildings, the garden and orchard connected therewith and containing about one acre, which were now occupied and improved by Rev. Mr. Appleton, should continue to be held by the Congregational society for the use of their minister, so long as Rev. Mr. Pidgin should remain as minister of the town, and afterward be held jointly and equally by both parties forever; and that the remainder of the home parsonage should be held jointly and equally by the two parties for the use of their respective ministers, and by these ministers should be jointly and equally possessed and occupied, so long as Rev. Mr. Pidgin should remain a settled minister in the town, and afterward should be jointly and equally occupied by the parties until a further and different agreement should be made concerning it.

It was provided that all the other parsonage lands should forever be held *in trust* by the town for the following uses, to wit: "That the said town, by their selectmen or other agents shall annually lease and to farm let the same for the town for one year, for so much money as can be obtained for the same, at a public auction for that purpose, to be annually notified and had in said town; the rents to be paid within one year from the time of leasing said land annually, and secured by good and sufficient promissory notes—one-half the amount of which shall be made payable to the said Congregational Society for their own use. which said half part of said notes shall annually, on request, be delivered by said town to the selectmen or lawful agents of said society, to be by them disposed of as said society shall direct; and the other half of said notes for said rents shall be for the use of said town."

It was also agreed that the interest of the funded stock should be received by the town, and one-half thereof be paid to the society in quarterly payments; and, as a portion of the principal of that stock would, by law, be paid annually, that the sums so received by the town, together with such part of the principal as had been received since 1794, should be loaned on good security, and one-half the interest arising therefrom, be annually paid over to the society; that the town should keep an exact account or statement in writing, showing to whom and in what manner the amount of said principal should be loaned; and would at all reasonable times, on request, exhibit and show the same to said society or their selectmen or agents. It was further stipulated that no part of the principal already received, or that might afterward be received from the funded stock, should ever

be alienated or disposed of otherwise than by being loaned for interest as aforesaid, except by the joint consent of town and society.

It was further agreed that each of the parties should indemnify and save harmless the other party and its minister from all claims for the possession of any part of the parsonage lands or funded stock, and from all damages, losses or costs accruing to the other party in consequence of such demands or suits.

This indenture was drawn up with great care by Jeremiah Mason, Esq., of Portsmouth, who had been employed as counsel for the society, and was signed by the committees of the two parties, appointed and empowered to make a settlement of their difficulties, about four years previous to the date of the indenture, viz.: Simon Nudd, Benjamin Shaw, James Moulton, James Leavitt, Elisha S. Marston and Jonathan Marston, Jr., on the part of the town, and Christopher Toppan, Joseph Dow, Daniel Lamprey, Jr., Abner Page, Joseph Towle, Jr., and Levi Batchelder, on the part of the society.

The following letter, addressed to the author by Edmund Toppan, Esq., in 1888, explains more fully the course of these two lawsuits:

DEAR SIR:—In the years 1797–8–9 I passed several days at Ipswich and Salem, in examining and taking minutes from the ancient records of the town of Hampton and other towns in New Hampshire, formerly constituting in part the county of Norfolk. . . . My search was made in consequence of the famous Hampton religious suits. I was then a student-at-law in the office of Theo. Parsons, at Newburyport, who was counsel for the Congregational Society *vs.* the town of Hampton. I recollect perfectly well that I procured a copy of the incorporation of the town of Hampton, of the original deed of the Rev. Timothy Dalton to the town of Hampton, and his last will, and of several other papers then thought to be of importance.

I attended, I believe, every trial in the Superior court, of the Hampton actions, *vis:* Hampton *vs.* Martha Thayer; and Jesse Appleton (for the Congregational Society) *vs.* Hampton. The deed of Mr. Dalton was formerly considered, by persons who had never seen it, to be a deed of gift, and by some, to the church only. But in the trials of the Hampton actions Judges Olcott, Farrar, Wingate and Newcomb invariably charged the juries that the premises in Dalton's deed were purchased by the town of Hampton *for the use of the ministry*. Judge Livermore, on the other hand, that the premises were sold to the town absolutely, as in a common modern deed of warranty, and that the town of Hampton could do as it pleased with the premises—and in one charge said, "even buy dead horses with it," if a majority of legal voters thought proper.

That Dalton's deed was a deed of sale, &c., and not of gift, was proved by the deed itself; and by Dalton's will, afterwards executed, in which he bequeathed the very consideration money of the deed, due from the town of Hampton; and by other circumstances proved by the town records.

All the lands in Hampton reserved as town rights, ministerial rights, and by different appellations, commonly known as parsonage lands, were considered as appropriated to *the use of the ministry* by a majority of the judges.

Verdicts were given in some of the actions in favor of the Congregational society for an undivided moiety, &c., agreeably to the opinion of the court, but no final judgment was rendered in any action. All actions and causes of action between the parties were at last submitted to the determination of Judges Minot, Sewall and Dawes, of Massachusetts, as referees. A hearing was had before them at Boston, but the sudden death of Judge Minot prevented there being a report made. The papers were consequently returned into court. But the parties were given to understand that a report, if made, would have been in conformity with the opinion of the court. Therefore the parties withdrew all the actions but one and made a settlement by deed. The action not settled, which was for cost in the suits, etc., was referred to Governor Langdon, Judge Hale, &c., who reported that the Congregational Society should recover of the town one thousand dollars.

Thus ended these famous suits.

Yours &c.,
E. TOPPAN.

By the foregoing settlement of the claims of the two churches and parishes, to the ministerial funds and parsonage property, one of the chief sources of contention was removed, or, at least, temporarily closed. The manifestations of unkind feelings between members of the two churches and congregations were now not so frequent or so strongly marked. It should not, however, be inferred that perfect harmony was immediately restored. The disaffection was too deeply rooted, and had been too long cherished, to be eradicated at once.

The Presbyterians, as we have seen, had an advantage in point of numbers, enabling them to determine what measures should be adopted in town meeting; and it need occasion no surprise if in some cases they were not quite impartial in the exercise of their power.

We institute no comparison as to the religious character and the moral worth of the members of the two churches and congregations, either separately or in the aggregate. Virtue and piety were not the *exclusive* property of either party. Each church was strongly attached to its pastor. Mr. Appleton was a man of unblemished character. Here he was invulnerable. If his opponents, in the heat of excitement, sometimes hurled at him the shafts of calumny, they always fell harmless at his feet. Though very young at the time of his settlement, he was ever remarkable for his prudence. It was well said of him that he was "wise as a serpent and harmless as a dove." His simplicity and purity of character in many cases won the affection of individuals who had been unrelenting in their opposition to his church and society.

Mr. Pidgin also, in the troubles which arose after a few years, was declared by his people to have had an "established reputation for piety and good morals, even from his youth, as far as we have been

able to gather." He took an active interest in public affairs and held his people together, so that, even after an acknowledged lapse from morality, they desired "to have the near connection of minister and people yet continued." It was thought expedient, however, that the way should be prepared for his retiring from the pastorate. Mr. Pidgin probably asked for a dismission, but this appears of record only by inference from the warrant of the selectmen to call a meeting of the Presbyterian portion of the legal voters of the town, "to see if they will be of the mind to comply with the request of the Rev. William Pidgin to dismiss him from being any longer a minister of the town of Hampton."

The meeting was holden April 20, 1807, when it was voted not to dismiss him at that time, but to continue him in office on terms proposed by Mr. Pidgin himself, namely: that either party to the contract might dissolve the relation between them at will, by giving seasonable notice. This meeting seems to have been called chiefly to pave the way for an easy dissolution of the pastoral relation, for, at a legal meeting of the society on the 6th of July, 1807, called "to consider the affair relative to the dismission of our pastor, the Rev. William Pidgin, from his pastoral relation to this Presbyterian church and society," it was voted "to dismiss him from being any longer our pastor."

A committee was chosen to provide for a session of the presbytery in this place at the expense of the town, and to ask counsel and assistance of them in the destitute condition of the society. Col. Benjamin Shaw, James Leavitt, Esq., and Lieut. Philip Towle constituted the committee. It was also voted that this committee should be empowered to supply the pulpit under direction of the presbytery until some other agreement should be made.

Rev. William Pidgin was born at Newburyport, Mass., March 1, 1771, and graduated at Dartmouth College in 1794. After his dismission from the Presbyterian church here he was settled at Minot, in the State of Maine, February 11, 1811, where he remained a little more than eight years and was dismissed from his pastoral charge August 14, 1819. He afterwards removed to Portland, Me., where he died, in 1848. [See Genealogies—Pidgin.]

After the termination of the lawsuits for the recovery of a part of the parsonage property and the ministerial funds, nothing occurred for several years to interrupt the harmony or check the prosperity of the Congregational church and society.

PRESIDENT APPLETON.

On Sunday, September 20, 1807, the pastor announced his appointment to the presidency of Bowdoin College,¹ his present indecision as to his duty, and his desire for a mutual council, after sufficient time should have been given the church for deliberation.

A month later it was voted to call such a council. Mr. Appleton, Deacons Lamprey and Garland and Colonel Toppan were chosen a committee of arrangements.

Accordingly, an ecclesiastical council convened at the parsonage, agreeably to letters missive, November 10, 1807. All the churches invited were represented by their pastors and delegates, as follows :

South church, Andover, Mass., Rev. Jonathan French, pastor ; delegates, Pearson and Poor.

First church, Newbury, Mass., Rev. John S. Popkin, pastor ; delegates, March and Little.

First church, Newburyport, Mass., Rev. John Andrews, pastor ; delegates, Abbot and Farnham.

North church, Portsmouth, Rev. Joseph Buckminster, D.D., pastor ; delegate, Harris.

Church in Epping, Rev. Peter Holt, pastor ; delegates, Stearns and Prescott.

The council was organized by the choice of Rev. Mr. French as moderator, and Rev. Mr. Popkin as scribe.

Mr. Appleton made to the council the following statement :

"Though I have urged the church to the calling of this council, I would have it understood that the measure has been urged with a view to ascertain and pursue the path of duty, and not from any misunderstanding which has existed between the people and me.

I desire to take this opportunity to bear them an honorable testimony. The harmony between them and myself has been without any interruption. They have treated me with uniform kindness and affection, and to render my situation comfortable have made pecuniary exertions, to which I believe most people of no greater wealth would not have consented ; and since the appointment which has occasioned the convening of this council took place, they have, so far as I know, proceeded with a good degree of deliberation and prudence. I have likewise a comfortable persuasion that the same deliberation and prudence will mark their conduct when they receive the result of the council, whatever it may be."

¹ Made vacant by the death of Rev. Dr. McKean.

The council could have but one result—to advise the pastor's acceptance of the presidency of Bowdoin College, for which he was so eminently fitted; and reluctantly, but proudly, the people gave him up, after a pastorate of a little more than ten years.

During Mr. Appleton's ministry fifty-nine persons were admitted to the church and one hundred twenty were baptized.

While at Hampton he was a trustee of Phillips Exeter Academy. In 1803 he was one of the most prominent candidates for the chair of theology at Harvard University, to which Dr. Ware was chosen.

Rev. Jesse Appleton, D.D. was a descendant of Samuel Appleton, who came to America in 1635 and settled at Ipswich, Mass. His father was Francis Appleton, of New Ipswich, N. H., where the son was born. He fitted for college in the academy of his native town, and at the age of sixteen entered Dartmouth College, in 1788, graduating in 1792. The next two years he spent in teaching at Dover and at Amherst. He studied theology with Rev. Dr. Lathrop, of West Springfield, Mass., and began preaching in the summer of 1795. He was invited to settle in the ministry at Leicester, Mass., but declined this call in favor of the one received from Hampton not far from the same time.

He became at once a close, uniform and systematic student. In the distribution of his time he was strictly methodical. By the time he left Hampton he was a theologian, accomplished beyond his years. As a preacher, he was entirely free from all display of learning or study of effect. His manner was chaste, dignified, earnest and very impressive. Most of his sermons were written while he was in Hampton. He made it a rule to write but one sermon a week. Monday being devoted to pastoral visits, he was accustomed to begin his sermon on Tuesday and end it on Friday. He also meditated his prayers. Those who heard him conduct the public devotions were impressed with the profound reverence, the elevation, fervor and copiousness which characterized them.

He was inaugurated as president of the college in December, 1807, and entered immediately on the duties of his office. Such a man could not but gain the respect and affection both of the students and of his associates in the government. His success in communicating instruction was correspondent to his eminent qualifications. His private journal shows how absorbing was his interest in the moral and religious welfare of the college. He received the degree of Doctor of Divinity from Dartmouth College, and also from Harvard University. He was a member of the American Academy of Arts and Sciences.

He continued to discharge the duties of the presidency till the failure of his health, a few months before his death, which occurred on the 24th of November, 1819. Thus died Dr. Appleton, at the age of forty-seven years. His funeral sermon was preached by Rev. Dr. Tappan, of Augusta, Me., and prayers were offered by Rev. Dr. Gillett, of Hallowell.

Dr. Appleton preached and published quite a number of occasional sermons, and in 1837 there were published in two large octavo volumes, "The works of President Appleton, embracing his Course of Theological Lectures, his Academic Addresses, and a Selection from his Sermons, with a Memoir of his Life and Character, by Prof. Packard." The foregoing sketch is made up chiefly of extracts from this memoir. [See Genealogies—Appleton.]

CHAPTER XXV.

LAST YEARS OF THE TOWN MINISTRY. 1807-1839.

THE UNION OF 1808.

THE two churches being now without pastors, the inquiry was made whether they might not be reunited, as there appeared to be no good reason for keeping up two separate organizations, and supporting two ministers, when the people might as well be accommodated by one organization; especially as there was no such diversity of doctrinal views, as need prevent their attendance upon the same ministry; and if a union was desirable, no future time would probably be more favorable for its consummation.

With which church or society the suggestion of a reunion originated, we do not know. At an adjourned meeting of the Congregational society on the 27th of November, 1807, a week or two after the dismissal of Mr. Appleton, it was voted, that the selectmen (wardens) of the society be authorized to meet the selectmen of the town for the purpose of employing some minister to preach at one of the meeting-houses on the first two Sabbaths in December, with a view to the union of the two churches. They were also to decide at which of the meeting houses the services should be held, and, if possible, to agree upon articles to be inserted in a notification for a town meeting to be held as soon as it seemed proper. The Congregational society also passed the following vote, viz.: "That this Society consent to unite with the other Society in the public worship of God, until they have reason in their opinion to [revoke], and do revoke this vote."

A town meeting was held about two weeks afterward, to take preparatory steps for uniting the two religious societies. A committee of ten persons, five from each society, was chosen, authorized to procure a preacher and to determine at which house the meeting should be held. The committee were instructed to report their doings at an adjourned meeting, together with such articles as they might think necessary for the town to adopt. Col. Jonathan Garland, Col. Benjamin Shaw, Jonathan Marston, Jun., Josiah Dow, Capt. Thomas Ward, John Perkins, Jeremiah Hobbs, Joshua Lane, Ens. Amos Towle

and Edmund Toppan, Esq., were chosen to constitute the committee. The meeting was then adjourned two weeks, and at that time, two weeks longer.

The town met according to adjournment on the 25th of January, 1808. The committee presented their report, of which the following abstract is given :

The committee considered a union of the two societies as "exceedingly desirable in every point of view." They were aware of the difficulties to be encountered in effecting such a union ; and while they believed the more important ones would be obviated by the plan they were about to propose, many trivial objections they had been obliged to pass unnoticed, considering that in a spirit of conciliation, these should be overlooked by both parties. The great object of the committee had been "to place the two societies on equal footing, and to do equal justice to both." They hoped that the adoption of the measures proposed by them would insure to the present, and perpetuate to the future inhabitants of the town, "the inestimable blessings of peace, harmony and union."

They therefore recommended that the two religious societies be permanently united. To effect such a union, they proposed that the new meeting-house should be appraised at the sum of four thousand dollars, and that this sum should be paid to the Congregational society and divided among the individuals of the society in proportion to the sums which they severally contributed towards building it, and in consideration of this payment, that the pew-holders should relinquish all claim to their respective pews ; that the pews should be sold by public auction under the direction of the selectmen (wardens) of the Congregational society, so that the members of the two societies should have equal privileges in the purchase of the pews ; "and that said meeting-house be thereafter considered in the same manner as if it had been built by the town of Hampton."

The committee further proposed that one-half of the aforementioned sum of four thousand dollars should be payable in one year from the first day of March following ; and the other half in one year afterward ; that the notes of individuals purchasing pews should be made payable on these conditions to the Congregational society and placed in the hands of the selectmen thereof, to the amount of four thousand dollars, and if the pews should sell for a larger sum, then the notes for the remaining sum should be given to the town ; but if they should not sell for so large a sum as four thousand dollars, the deficiency should be made up by the whole town.

The committee also recommended that the town should choose a

committee to appraise the pews in the old meeting-house, and that the owners of the pews should be entitled to receive of the selectmen the sums at which their pews should severally be appraised; one-half thereof in one year, and the other half in two years from the first day of March following.

The committee also recommended that the further sum of two hundred dollars should be paid by the town to the Congregational society, in consideration of said society's relinquishing any *exclusive* interest claimed in some of the parsonage buildings, which were built by Rev. Mr. Thayer, and which the society had purchased of his widow; and also discharging the town from all demands for repairs made on the parsonage buildings and fences.

The next recommendation of the committee was in relation to the ways and means of supporting a minister. They proposed that in future, whoever might preach should be paid therefor out of the interest of the funds and rents of parsonage possessed by the town and society equally; and on the settlement of any minister in future, the use and income of the whole parsonage and personal or other property in the possession of the town and Congregational society for the support of a minister, should first be appropriated for the payment of his salary; and if any further sum should be needed, it should be paid by the whole town.

The committee conclude their report by recommending that the two religious societies in the town attend public worship together at the new meeting-house, until some other arrangement be made by consent of the societies.

After an ineffectual attempt to amend the report of the committee, it was adopted by the town, Jonathan Philbrick and Josiah Sauborn being the only persons who entered their dissent at the time though forty others concurred with them afterwards. The committee that made the report were constituted a committee for supplying the desk; and received from the town the following instruction: "That this committee shall consult Messrs. Buckminster, Dana and Holt previous to their supplying the desk with a candidate."

REV. JOSIAH WEBSTER, PASTOR.

On the 18th of April, the town voted to extend a call to Mr. Josiah Webster, and chose a committee to determine what salary to offer.

In accordance with the report of this committee, it was voted to give Mr. Webster the improvement of the home parsonage—except the pasturing of one cow during the life of Elizabeth Lane—the buildings and fences to be kept in repair by the town, and also an annual



Josiah Weston

Portrait Contributed as a Token of Esteem, by Former Parishioners and
Their Descendants.

salary of five hundred twenty-five dollars "during his being a minister" of the church and town.

Owing to the peculiar circumstances of the people at this time it seemed proper that the church should await the action of the town before giving a call to any man to settle in the ministry. The town now asked the church to concur in the call to Mr. Webster. This was done, without delay and without opposition.

The votes of the church and of the town having been communicated to Rev. Mr. Webster, he soon after gave his answer accepting the call, as follows:

"To the church and people of the town of Hampton:

Dearly beloved brethren & friends,

Your call for me to settle with you in the gospel ministry has been deliberately & prayerfully considered. At once to relieve your minds, I tender to you an affirmative answer.

When I contemplate the scene of trials through which you have passed; when I consider the providence of God, so conspicuous in your present union; when I reflect upon the state of our moral establishments, and at the same time glance a thought to the great day of final retribution, I dare not give a negative.

Being unacquainted with the expense of living in this region, I am unable to judge of the competency of your appropriations for my support. But I rejoice to say, that I am ready to make the experiment. It is with pleasure that I affirm my entire willingness to trust your benevolence for what may be competent and honorable.

But, beloved, most of all, let me trust, & let me not be disappointed, in having your prayers for that divine aid without which I can do nothing. And may the God of peace, order, grace and all consolation ever dwell among you & grant you every needed blessing; which shall ever be the prayer of your very affectionate friend & very humble servant in the work of our Lord Jesus Christ,

JOSIAH WEBSTER."

Hampton, May 7, 1808.

Mr. Webster's answer was communicated to the town at an adjourned meeting on the 9th of May. The time appointed for the installation was Wednesday, the 8th of June following.

One week later, at a church meeting, Colonel Toppan, Deacons Lamprey, Garland and Fogg, and Mr. William Lane were chosen to unite with the pastor elect, in calling an ecclesiastical council. Invitations were sent to thirteen churches in the county of Rockingham and eight in the county of Essex, Mass. On the day appointed for

the installation, twenty of the churches invited were represented in the council, of which it is recorded that the "proceedings were harmonious" . . . and "the installation took place." For the public services, the parts were assigned as follows: introductory prayer, Rev. Joseph Buckminster, D.D., of Portsmouth; sermon, Rev. Samuel Worcester, of Salem, Mass.; inducting prayer, Rev. Elihu Thayer, D.D., of Kingston; charge, Rev. Stephen Peabody, of Atkinson; right hand of fellowship, Rev. Jacob Abbot, of Hampton Falls; concluding prayer, Rev. Moses Dow, of Beverly, Mass.

About three months after the installation, the church passed the following vote: "That all persons in this town, of good moral character, who have had baptism for their children heretofore shall still enjoy the privilege, though they may not be in full communion." The intention of the church does not appear to have been to perpetuate the practice here noticed; but to restrict it to those who had already enjoyed it.

The next month the church chose a standing committee of six men, "to assist the pastor in any affairs relating to the advancement of the spiritual welfare of this church and congregation, and to inspect the conduct and morals of professing christians; likewise to attend the pastor in catechizing children or young people." The religious state of the community at that time was not encouraging. Church discipline had been greatly neglected, Arminian views in theology were prevailing to a considerable extent, and there was much hostility to the old Puritan faith. It was under such circumstances that the church committee were chosen. They visited and conversed with delinquent members and labored earnestly to reclaim them. In some cases, they were successful; in others, their efforts failed entirely; and from several members, the church withdrew fellowship.

No marked change in church and community was at once apparent, but a gradual improvement was in progress. In 1809 there were some conversions and a few persons united with the church. A few also were received the next year; but the whole number of admissions during the first ten years and ten months of Mr. Webster's pastorate was only thirty. Through all these years, the pastor continued to preach the gospel with great plainness, and to labor assiduously for the spiritual welfare of the people of his charge. Nor did he labor in vain. The Sunday-school, established in August, 1818, continues to the present, a potent factor in the work of our several churches. In 1819 a general religious interest pervaded the town, during which, thirty-four persons were received into the church; again, in 1823 there was more than ordinary interest, as the result of which, eleven were

added; but the most powerful revival during Mr. Webster's ministry was in the fall of 1826, and the winter and spring following. As the fruits of this awakening, fifty members were added to the church in 1827. There was also a revival in 1832, which resulted in the addition of nearly twenty more. During his ministry in Hampton, Mr. Webster received one hundred seventy persons to the full communion of the church.

RISE OF THE BAPTIST SOCIETY.

It remains now to consider Mr. Webster's ministry in his relation to the whole town; as, after the union of the two religious organizations, which resulted in his settlement, all the people were nominally Congregationalists, and he, their minister. Only three men, as far as can be learned, claimed to be of a different persuasion, two of whom had joined a Baptist society in Portsmouth. It should not, however, be inferred, that all the people cordially united in the settlement and support of the present pastor.

About that time some of the people became interested in the movements of a few leading men of the new religious sect, then calling themselves CHRISTIANS, and adopted, to some extent, their principles, which differed radically from those held by Mr. Webster and his church, generally. They, as might have been expected, did not continue, voluntarily and cheerfully to aid in the support of the pastor. There were others in the town, who, though they did not affiliate with the new sect, never relished some of the doctrines held and taught by Mr. Webster. One after another of this class began to neglect his ministrations; but this course for many years caused no serious difficulty. The meetings on the Sabbath and at other times were generally well attended, and the minister's salary was promptly paid. Still, some of those who had absented themselves became restive under taxation for his support.

Ten years from the beginning of Mr. Webster's ministry a town meeting was holden, by request, "to see if the town wished for his services as their minister any longer." A majority of the voters at the meeting were friendly to Mr. Webster. Instead of acting immediately upon the main article in the warrant, they voted to postpone it, and act upon the next article, under which a consultation with the pastor was to be held, and all further action postponed to an adjourned meeting. But nothing came of it, and things remained as they had been.

"A BONE OF CONTENTION."

At the annual town meeting in 1819, there was inserted in the warrant, by request, the following article: "To see if the town will give

the Baptist Society in said town a part of the land and monies to support the gospel among them." The town refused to take any action upon the subject.

At an adjourned meeting on the 29th of the same month, the town voted to adopt the report of a committee previously appointed, recommending the building of an out-house at the parsonage, according to a plan presented, and took measures for carrying the same into effect. The passing of this vote called forth a remonstrance, signed by forty-three legal voters. The remonstrance, dated March 31, 1819, is in the following words:

"We, the undersigned, legal voters and inhabitants of said Hampton, do hereby protest and dissent against a vote passed at the adjournment of the last annual meeting, to build any building, or make any repairs, relative to the vote, on the parsonage, at our cost or expense, either by taxes, or our property withheld from us by the town."

It is not necessary to give the names of the signers of this protest. It is sufficient to state—and that is the purpose for which the matter is here introduced—that nearly all the signers were connected with the Baptist society, incorporated more than a year before. They had asked for a part of the income of the parsonage lands and ministerial funds, but had failed of obtaining it, and they thought it unfair to be called upon to pay directly or indirectly any sum however small, for the maintenance or convenience of a minister of another denomination, on whose ministrations they did not attend. Whatever opinion may be held as to their right to any part of the ministerial funds, it certainly accords with the prevailing sentiments of the present day, that they ought not, in a case like this, to be compelled to pay a tax.

The passing of the *Toleration Act*, so called, by the New Hampshire Legislature, in 1819, left people at liberty to act as they pleased in regard to paying a tax for the support of a minister. That act, however, could not impair the validity of the contract previously made with Mr. Webster. His salary continued to be paid by the town, though a considerable number of the inhabitants had, from time to time, "signed off" from paying any portion of it. The first instance of this occurred in March, 1823, when about thirty persons refused to be longer taxed.

No further request for a division of the income of the ministerial property was made to the town during the next six or seven years. But soon after the annual town meeting in 1830, the selectmen, by request, called another meeting, to see if the town would make provision that the Baptist society might receive from year to year their just and equitable proportion of the annual proceeds of the ministerial

property, according to taxation, or in any other suitable manner. An ineffectual attempt was made to refer the whole matter to a committee, to report to the town their views. This failing, the question was then put, whether provision should be made for the Baptist society, and it was decided in the negative, the vote standing as determined by a poll, seventy for and eighty-seven against the measure.

At the annual meeting the next spring, the same subject was again brought before the town in a proposition to divide the income of the ministerial property among the several religious societies in the town according to taxation. The following preamble and resolution were then offered, and passed by a vote of ninety-five to seventy-seven :

“Whereas there have been different opinions respecting the ministerial property in the town of Hampton, and already much time and money expended in legal contests respecting this property ; whereas the common votes of the town and common suits at law are never likely to settle disputes on the subject ; whereas it is highly important to the well-being of any community, that harmony and a general good understanding be maintained among the people ; and being desirous that justice and the best interests of the town be promoted ; Therefore, Resolved, that all questions respecting the ministerial property of Hampton be referred to three able counsellors at law, to be chosen by a committee of six, three to be chosen by each society, or their agents, which referees shall have full power to make such a disposition of the property between said town and Baptist society in said Hampton, as may be final, or put the subject, if possible, beyond all further dispute.”

The preamble and resolution having been adopted, James Leavitt, Esq., Jeremiah Hobbs and Maj. John Lovering were chosen as the committee on the part of the Congregational society. The Baptists generally were opposed to such a reference, and do not appear to have appointed a committee on their part. Hence, referees were not chosen.

A little more than two years afterward another town meeting was called for a similar purpose, when the town again refused to allow the Baptist society any portion of the funds. A poll being demanded, the vote stood forty-five for, and seventy against. Again, about three weeks later, the town not only refused the request of the Baptists, but passed a vote, affirming the appropriation of the parsonage and funds to the use of the Congregational society.

No meeting of the Congregational society had been held for several years, but it was now thought advisable to meet again as formerly. There were, however, no officers authorized to transact any business,

or call a meeting of the society for choosing officers. Application was therefore made to John T. Burnham, Esq., of Exeter, to call a meeting, to choose officers for the society and to make provision for holding meetings thereafter. The justice issued his warrant to Josiah Dow, one of the petitioners, requiring him to notify the members of the society to meet for the purposes named in the application on the 25th day of November following (1833). The society met at the time and place designated, and chose Josiah Dow, moderator ; Daniel Towle, clerk and treasurer ; and Jeremiah Hobbs, Samuel D. Taylor and Samuel Batchelder, selectmen and assessors ; and made provision for holding future meetings.

Agitation of the question about the division of ministerial funds was again renewed in 1835. At an adjournment of the annual town meeting, March 24, two questions relating to the subject were to be acted upon : the first, whether the Baptist society should have their proportion according to taxation ; the second, whether the funds should be so divided that every legal voter in the town might have his share according to taxation. The action of the town on the first proposition was as follows : Voted, that these funds be divided and the proportion mentioned in the warrant paid over to the Baptist society. The selectmen were instructed to make such a division and the treasurer to deliver the property into their hands for that purpose. To these votes the selectmen of the Congregational society objected, regarding them as "being in direct violation of the eleventh and twelfth articles of the report of the committee of union between the town and Congregational society," which report had been adopted by both parties, and, in their view, was still binding. By those articles, the whole income of the parsonage and the personal or other property in possession of the town and Congregational society for the support of the minister should in the first place be appropriated for the payment of the salary of the minister who should afterwards be settled, and the balance of the salary, if any, should be paid by the whole town. Rev. Josiah Webster had been settled under this arrangement, and while his ministry continued, the funds could not legally be diverted to any other purpose.

The town then voted, "that the Rev. Josiah Webster be no longer considered as a minister of the town of Hampton." It was also voted "that a committee of three persons be chosen to select in certain lots such parsonage wood in [the] Old Swamp, as may be thought decaying, to the amount of two hundred dollars, or more, and sold [sell the same] at public auction, on or before the first day of December, 1835, the proceeds to be returned to the town." Aaron Coffin, Tristram

Shaw and Abraham Fogg were chosen a committee for this purpose. To these votes the selectmen of the Congregational society objected in open town meeting. The measures were, however, carried into effect by the committee.

About one week afterward there was a meeting of the Congregational society held by adjournment, when, in consideration of the recent votes of the town, diverting the income of the funds to a different object from that contemplated in the plan of union, it was voted, in accordance with an article in the warrant for the meeting, "to revoke the vote of union passed by said society, November 27th, 1807, and also all other votes referring to the same." The right to revoke they had expressly reserved to themselves, whenever, in their opinion, there should be reason therefor.

The society then chose Daniel Towle, Josiah Dow, Jun. and Thomas Ward, together with their selectmen, a committee "to protect the property of the Congregational society by all just and legal means, according to the best of their judgment."

In the warrant for the annual town meeting in 1836 was an article, "To see if the town will vote to revoke all former votes respecting the ministerial funds and parsonage property." The meeting was adjourned to the fourth Tuesday of the same month, when the subject was indefinitely postponed.

Simeon B. Shaw, Aaron Coffin and Thomas Leavitt, Esq., were chosen a committee, "to go and try to compromise with the Rev. Josiah Webster, and make report" [to the town]. At their conference, Mr. Webster offered to relinquish his claim upon the town for two thousand dollars and the use of the parsonage till he could find another place to which to remove. The committee offered to pay him his salary and one thousand dollars and to give him the use of the parsonage till the next spring. Failing to agree on terms of settlement, Mr. Webster then proposed to submit the matter to arbitration; but after several ineffectual attempts to agree upon referees, that plan was dropped, and nothing more attempted in the way of compromise.

A committee of four men from each society failing to settle the differences, the town next instructed the treasurer "to pay over to the selectmen or agents of the Congregational society in Hampton the one half part of the interest on ministerial funds, and the one half part of parsonage rents for the year 1835 and also the year 1836, "agreeably to the Indenture between said town and Congregational Society." Thirteen persons remonstrated against this vote, for the following reason: "Because we believe that there is no legally organized Congregational society in the town. We believe that there has not been such

a society in the town for more than twenty-seven years, & we cannot give our votes acknowledging any society of the kind."

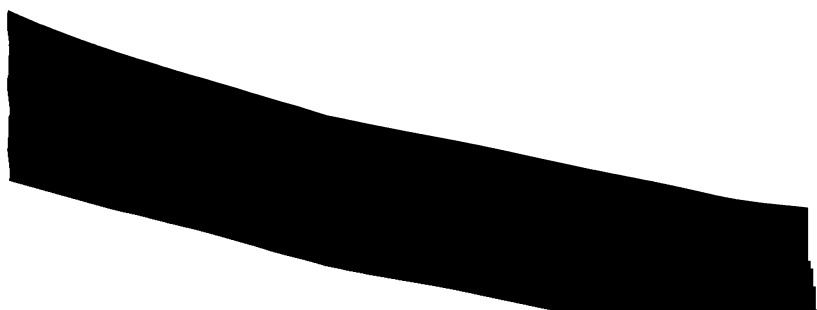
The selectmen, by request, soon after called another meeting in relation to the funds, "to see if the town would sell all the parsonage land except the Home Parsonage, and divide the proceeds and all the ministerial funds among all the voters and other taxpayers living in the town, and choose a committee to carry the same into effect; or invest the proceeds of the sales and all the notes and Bank Stock, constituting the ministerial property, in a fund, the income of which should annually be paid to such religious societies as the voters and other taxpayers living in the town, should from year to year direct; — and where individuals fail to give any direction, such part as they would be entitled to, to be divided equally among the several religious societies in the town;" for at this time, still further to complicate the situation, a third denomination, the Methodist, was gaining adherents. The meeting was organized by the choice of a moderator, and then immediately dissolved. Articles of similar import had been acted upon but failed to be adopted at the previous meeting.

A petition for another meeting, to act on nearly the same articles was within a few days presented to the selectmen; but they, with the result of the last two meetings before them, failed to call a meeting. Application by one-sixth part or more of the legal voters was then made to Uri Lamprey, Esq., a justice of the peace, to call a meeting, and he issued his warrant to the constable, to notify a meeting to be holden on the 28d of May.

At that meeting, Samuel Garland, Jr., was chosen moderator.

It was voted to sell all the parsonage property except the home parsonage and the woodland in the old swamp. It was also voted (twenty-six persons voting), to divide all the interest and income of the parsonage property equally among the legal voters and estates not owned by legal voters [but] owned by persons living in the town, payable to such religious societies as said legal voters and [owners of] estates should severally direct, and in case of no direction, to divide equally among the religious societies in the town; and that a committee of five should be chosen to act in behalf of the town, to sell and give warranty deeds of the above property, on or before the first Monday in June following (less than fourteen days, thus debarring the town from annulling these votes at another meeting).

The treasurer was directed (ten persons voting) to pay over to the selectmen, on or before the first Monday in February following, all the income of parsonage property in his hands. The selectmen were directed to cause a division of the property to be made agreeably to





J. C. Webster -

a former vote, on or before the first day of March, 1837 (fifteen persons having voted in favor of the last motion). Objection was made as follows:

"Hampton, May 23, 1836.

"We, the subscribers hereby object to all the votes passed at this meeting, so far as it regards the ministerial property in this town, in behalf of the Congregational Society.

Samuel Batchelder,	} Agents for the Congregational Society."
Jeremiah Hobbs,	
Daniel Towle,	

A vote was then passed to indemnify the committee from all costs and damages. A poll being demanded, thirty-four persons voted in the affirmative and thirteen in the negative.

The committee proceeded to sell and convey the parsonage lands, agreeably to the instructions received.

LITIGATION.

No means were then left to the Congregational society, to recover what they regarded as their property, without recourse to the law. A suit was accordingly commenced against the town in a plea of covenant. Depositions were taken before Thomas A. Dexter, Esq., commissioner, etc., at his office in Boston, and the case came on for trial at the term of the Court of Common Pleas, held at Portsmouth, in February, 1837. The next month, at the annual meeting of the society, Samuel Batchelder was chosen agent, and continued in that office by annual elections, till the case was settled. On the part of the town, E. W. Toppan and Simon Towle, Jr., were successively the agents employed, till the annual meeting in 1838, after which, the management of the case passed into the hands of the selectmen.

MR. WEBSTER'S DEATH.

From contentions in town meetings and courts of law we now turn to different scenes.

John Calvin Webster, the third son of Rev. Josiah Webster, had been appointed by the American Seaman's Friend Society, as seaman's chaplain at Cronstadt, in Russia, and arrangements had been made for his ordination in the North church, in Newburyport, on the 15th of March, 1837. His father had been appointed to preach the sermon. As the time for the ordination drew near and he was at work upon his sermon he found himself afflicted with a heavy cold, attended with a slight inflammation of the lungs, and when the day came he

was so ill that under ordinary circumstances he would probably have declined to preach. But from his relation to the candidate, he had a strong desire to perform the part assigned him. The services of the day were deeply interesting and the excitement of the occasion aided him, invalid as he was, in the delivery of his sermon; but it proved to be his last. The effort had been too great. The next day he returned home sick and exhausted, and, taking his bed, he remarked that he thought his work on earth was done, and added: "Well, if it be so, I know not with what act I could close life with more satisfaction." He continued to decline till the 27th of the month, when he fell asleep in death. During his sickness he was often delirious, but in lucid intervals his faith in God was unflinching; and thus he died. The funeral services were held at the meeting house on the Friday following his death. A sermon was preached by Rev. Daniel Dana, D.D., of Newburyport.

Mr. Webster was a son of Nathan and Elizabeth (Clifford) Webster, of Chester, N. H., and was born January 16, 1772. His preparatory studies were under the direction of Rev. Mr. Remington, of Candia, Rev. Dr. Thayer, of Kingston, and Hon. Stephen P. Webster, then preceptor of Atkinson Academy. He was graduated at Dartmouth College in 1798, and immediately commenced the study of theology with Rev. Stephen Peabody, of Atkinson. In November, 1799, he was ordained pastor of the church in the second parish in Ipswich, Mass., then called Chebacco parish, now constituting the town of Essex, where he continued till 1806. He used to say that while at Ipswich he greatly profited by the advice and varied instruction which he received from Rev. Dr. Worcester, of Salem.

Mr. Webster married Elizabeth, daughter of Maj. Eliphalet and Martha (Webster) Knight, of Atkinson. They had five sons, four of whom were educated at Dartmouth College, and two daughters, who died in infancy. [See Genealogies—Webster (6)].

The following inscription, prepared by Rev. Dr. Dana, of Newburyport, is found upon the monument at Mr. Webster's grave, in the cemetery near Mr. Nathaniel Johnson's, and well expresses the esteem in which the beloved pastor was held:

"Sacred to the memory of Rev. Josiah Webster, A.M., an exemplary Christian, an impressive and distinguishing Preacher, a faithful and affectionate Pastor, a devoted and efficient Friend to the Cause of sound Learning, to the Interests of the Church of God, to the Welfare of his Country and Mankind.

'I heard a voice saying unto me, write, Blessed are the dead that die

in the Lord, from henceforth ; yea, saith the Spirit, that they may rest from their labors ; and their works do follow them.'

Mr. Webster was born at Chester, Jan. 16, 1772 ; was graduated at Dartmouth College, August, 1798 ; ordained at Essex, Mass., November, 1799 ; installed at Hampton, June, 1808 ; died March 27, 1837, Aged 65."¹

About three weeks after Mr. Webster's death the town held a special meeting, one purpose of which was to see what the town would do about the payment of his salary, and what to do with the home parsonage and parsonage house. Although, two years before, the town had voted that Mr. Webster be no longer the minister of the town, the death of the good man, whom all respected, following so soon, put an end to strife for the time being, and a vote was passed to pay the administrator of his estate, when one should be appointed, all the interest that had arisen from the ministerial funds and all the parsonage rents for the years 1835 and 1836 ; also the money for which the wood was sold on the two acres in the old swamp ; and the remainder of salary due, to be paid by the whole town, agreeably to the eleventh and twelfth articles in the report of the committee of union. To Mrs. Webster was voted the use of the home parsonage and the parsonage house for one year.

In the autumn of 1838, two hearings of the parties, in the suit between the Congregational society and the town, were had before Thomas E. Sawyer, auditor, "at Samuel Dearborn's inn, in said Hampton." The next year, in March, when the town's half of the home parsonage was rented, it was voted, that the proceeds be divided between the Baptist and Methodist societies, according to taxation ; but at another meeting, May 8, that vote was recalled and it was voted to divide said proceeds *equally* between the Baptist and Methodist societies. At the same meeting, May 8, Joseph Dow, Ebenezer Lawrence and Daniel Towle were chosen a committee, to take into consideration all the articles in the warrant relating to agents or agencies, one of which was "to see if the town will authorize their agent or agents to settle the controversy between the town and the Congregational society." On recommendation of the committee, the town voted that the selectmen settle all lawsuits in which the town is interested as a party, as speedily as they can, consistently with the interests of the town. The society, on its part, chose a committee of three, between whom and

¹ The portrait of Mr. Webster here given is from a small painting on ivory, executed in 1807. The date had long been unknown till the painting was taken from its case for reproduction in this work.

the selectmen an agreement was reached and the vexing lawsuit brought to an end.

THE INDENTURE OF 1839.

A new indenture was made September 21, 1839, a brief summary of which is as follows :

Whereas, A controversy has arisen between the town of Hampton and the Congregational society in said town, in relation to certain alleged violations of the indenture of 1803; and whereas, Simon Towle, Jr., David Page and Ebenezer Lane, selectmen of the town, have been appointed by the town to settle the controversy, and Samuel Batchelder, Josiah Dow, Jr., and Thomas Ward have been appointed by said society for a like purpose; now therefore, it is agreed by the said town and society, that the town hereby convey to the society all the promissory notes, contained in the annexed schedule, and which have been this day endorsed and delivered to said society;

And the society, on their part, acknowledge the receipt of said notes, together with \$254.90 from the town, which, together with the account of judgment recovered by them at the Court of Common Pleas, holden in and for the county of Rockingham on the first Tuesday of September, A. D., 1839 (which judgment was rendered on an agreement of the parties), are received by said society in full satisfaction for all parsonage lands sold by the town and all damage on account of the same; and in full discharge of all the claims of the society to the funded stock of the United States, mentioned in said indenture, and of all the rents and income of said lands, and interest and proceeds of said funded stock, except so much thereof as may have been invested in stocks in the Exeter Bank; and in consideration thereof, the society do hereby release and quitclaim to the town all their right and claim to any and all of the lands conveyed by the town, as aforesaid.

And it is further agreed between the parties, that so much of said indenture as relates to the home parsonage, containing fifty acres, more or less; and so much as relates to two other tracts of land [which are described], shall remain in force.

And it is further agreed between said parties, that they are joint owners of twenty shares of the capital stock of the Exeter Bank, which was bought with the proceeds of said United States stock; and, as soon as may be, the certificate thereof shall be surrendered to the Bank and separate certificates issued to each of said parties for one-half of said shares; and that each of said parties receive one-half of any dividends now remaining due on said stock.

This instrument, duly signed, sealed and witnessed, was now the compact between the two long-contending parties. The promissory notes conveyed to the society amounted, principal and interest, to \$3,330.08. The following year (March 30) the town treasurer was directed to transfer to the selectmen so many of the notes, held by the town against certain individuals, for money loaned out of the surplus revenue, as might be necessary to cancel all the notes held against the town to pay the execution in favor of the Congregational society,

and that the selectmen, with these notes, or with money received for them, cancel all the above-named obligations of the town within twelve days.

At another meeting, April 20, the town voted to unite with the Congregational society, in the appointment of a disinterested committee of three men, not residing in Hampton, to appraise the home parsonage, so called, and sell and convey their half of it to the society, agreeably to the appraisal; and chose John Johnson, Uri Lamprey and Ebenezer Lane to carry this vote into effect.

The same day, the society held a meeting, passed a similar vote for appraisal, voted to buy the town's half, and chose Joseph Philbrick, David Page and Thomas Ward, to join with the town committee, in the accomplishment of this end.

The town also voted to pay all the expenses of the recent lawsuit between town and society, for which the town was liable, and that then all the ministerial funds in the town's possession, after settling with the Congregational society, be divided between the Baptist and Methodist societies in the proportion of three-fifths and two-fifths respectively.

In this manner, after two hundred years' control, the management of church affairs passed from the town forever.

CHAPTER XXVI.

THE INDEPENDENT CHURCHES.

THE CONGREGATIONAL CHURCH IN RECENT YEARS.

THE *town* ministry having now been abolished and a disposition of the ecclesiastical property effected, as related in the last chapter, the further history of the old church should retire to a subordinate place in these pages, along with that of the other churches which have arisen; for the affairs of the town, as such, are henceforth purely secular.

After Mr. Webster's death, in March, 1837, the church remained without a pastor for nearly a year. In February following, the church and society, with great unanimity, invited MR. ERASMUS D. ELDRIDGE to become their pastor. The invitation was accepted, and Mr. Eldredge was ordained April 4, 1838. The sermon was preached by Rev. Luther F. Diminick, of Newburyport; and the other principal parts in the service were: ordaining prayer by Rev. Samuel W. Clark, of Greenland; charge by Rev. Jonathan French, of North Hampton; and right hand of fellowship by Rev. Sereno T. Abbott, of Seabrook and Hampton Falls.

The old meeting-house, which was then and still continues to be owned by the town, was now somewhat out of repair; and in February, 1843, after long agitation of the subject, the society decided to build a new one, which should be their property, subject to their own control. Samuel D. Taylor, Obed S. Hobbs, David Knowles, Thomas Ward and Josiah Dow were chosen a building committee. A site had already been purchased, nearly opposite the old house, and as soon as practicable after spring opened, the work was begun.

At the annual meeting of the society that year, Joseph Dow, Thomas Ward and James Perkins, Jr. were chosen a committee, to prepare a code of by-laws, which was adopted. The name, selectmen, for the executive board of the society, had been changed to wardens, the previous year. According to the new code, the time of the annual meeting was fixed for the fourth Monday in March, the date which has ever since prevailed.

On Thursday, January 4, 1844, the new church was dedicated; and the same day, the pews were sold by auction. The next year a part of the basement was finished for a vestry. In 1846 Daniel Hobbs was appointed "to have charge of the musical instrument belonging to the society . . . the double bass-viol, recently bought by subscription." In 1849, somebody, evidently, objected to insurance, for we find this curious record:

"Voted, to insure the meeting-house.

Voted, that we trust the safe-keeping of this house to the kind Providence of God."

Severe illness in 1847, compelled Mr. Eldredge to suspend his labors for six months. In two years more, it had become evident that his weakened lungs could no longer bear exposure to the sea air. Reluctantly he asked a dismission; reluctantly it was granted—and the happy connection of eleven years was severed by a council, convened on the 7th of May, 1849. During his pastorate, several revival seasons were enjoyed and there were a considerable number of additions to the church.

Rev. Erasmus Darwin Eldredge was a son of Dr. Micah and Mrs. Sally (Buttrick) Eldredge, of Dunstable, Mass., where he was born March 10, 1804. He was graduated from Amherst College in 1829, and studied theology at Andover, with the class of 1833. He married Isabella Tappan Hill, daughter of Dea. John Burley Hill, of Portsmouth, where she was born August 20, 1812. Their infant son, John B. H., died the day of Mr. Eldredge's ordination, keen sorrow and disappointment thus mingling with, and for a time overpowering the joy of establishing the first home and entering the first pastorate. A daughter and a son were born in Hampton, and another son, the only survivor of the family, after they went away.

Soon after leaving Hampton, Mr. Eldredge was settled at Salisbury in this state, where he remained till 1854. Subsequently, he had charge of a female seminary in Monticello, Ga. He taught also in Milledgeville and preached in Perry, in that state. In 1861 he returned to New Hampshire and preached for a year in Alton; but removed to Kensington in 1864, bought a farm, and was pastor there eleven years, as long as he was able to preach. There Mrs. Eldredge died, May 1, 1873, loved, honored and sincerely mourned.

Soon after her death, Mr. Eldredge removed to his daughter's home in Georgia, and died at Athens, in that state, April 18, 1876. His remains were brought to Hampton for interment, where they rest beside those of his wife and his first born. On his gravestone is this just tribute to his worth. He "labored as a faithful, beloved and

successful minister of the Gospel for 88 years." [See Genealogies—Eldredge.]

Four months after the dismissal of Mr. Eldredge, namely, on the 6th of September, 1849, his successor in the pastoral office, Rev. SOLOMON P. FAY, was ordained, Rev. John M. Steele, of Winchester, Mass., preaching the sermon.

Within the next three years, fourteen acres of the parsonage land were sold. In 1851 the barn was burned, and the house narrowly escaped.

During this prosperous ministry of five years, thirty-four members were admitted to the church. August 29, 1854, Mr. Fay was dismissed, to accept a call to Dayton, O. He still occasionally visits the scene of his first pastorate, where he is ever a welcome guest. [See Genealogies—Fay.]

The church was then without a pastor for a year; but on the 31st of October, 1855, Rev. JOHN COLBY, then recently graduated, was ordained, Rev. Dr. Cleveland, of Lowell, Mass., preaching the sermon. The same year, the meeting-house was frescoed, at a cost of two hundred fifty dollars. In the great revival that overspread the country in the winter of 1857-8, all the Hampton churches participated.

Mr. Colby brought grief to the people, in the autumn of 1863, by asking a dismission, in order that he might accept an invitation to enter the army as a chaplain. A people loyal to the government could not say nay, and Mr. Colby was dismissed by council, November 18th. It so happened, however, that the regiment he expected to join was not mustered, and other duties awaited him. [See Genealogies—Colby.]

After a temporary supply, of one year, by Rev. JAMES B. THORNTON, a pastor was again found in Rev. JOHN WEBSTER DODGE, who had been settled for a time in Gardiner, Me., where he was ordained December 6, 1860. Professor Smyth, of Andover Theological Seminary, preached at his installation in Hampton, October 19, 1865. In 1867 a new pipe organ was procured at an expense of eleven hundred dollars, and the church was recarpeted. After a successful pastorate, during which twenty-five persons united with the church, Mr. Dodge was dismissed, Nov. 18, 1868, to accept a call to the pastorate of the Congregational church in Yarmouth, Mass., where he was installed December 30, 1868, and where he remained till the autumn of 1891, when on account of impaired health, he retired, and removed to Newburyport.

Rev. John W. Dodge, son of Moses and Susan (Webster) Dodge, of Newburyport, was born in that city, October 16, 1836; was grad-

uated at Amherst College, 1857; Andover Theological Seminary, 1860; married, November 7, 1860, Mary Harris Toy, of Simsbury, Conn. They have children: 1, Mary Webster, baptized in Hampton, August, 1866; 2, George Toy; 3, Susan Webster.

REV. JAMES McLEAN, from Menasha, Wis., was the next pastor. He came in the autumn of 1869, and, having preached as stated supply for a year, was installed, December 15, 1870. In the spring of 1871, the estate dedicated to the use of the ministry since the settlement of the town was forsaken and sold, and a new parsonage bought, nearer the church; but this being found unsuitable was in turn sold after a few months, and a vacant lot purchased, with a view to building. Mr. McLean was dismissed January 30, 1872.

From this time, there was no installed pastor for twelve years. REV. F. D. CHANDLER was employed nearly two years; REV. JOHN S. BATCHELDER [see Genealogies—Batchelder (38)], three years; REV. WILLIAM H. CUTLER, four and a half years; and transient preachers filled up the interval. Meanwhile, the Congregational society, instead of building a parsonage, bought Deacon Willcutt's homestead, adjoining their vacant lot, in 1878, and this house they have since remodeled. The same year the Sabbath afternoon church service was omitted during the summer months, which was but a prelude to omitting it altogether. The old box stoves which had long done service in heating the church, were exchanged for a furnace, in 1881, and the next year the church was repaired and frescoed.

REV. WALCOTT FAY, the next pastor, son of Rev. Barnabas Maynard and Mrs. Louise Mills Fay, was born in Flint, Mich.; studied at Williams and Oberlin Colleges, but did not complete the course, on account of illness; pursued theology at Yale and Bangor, graduating from the latter in 1883. He came to Hampton from Oxford, Me., where he had been preaching for a few months, and was ordained pastor of this church, February 20, 1884, Rev. S. P. Fay, of Dorchester, Mass., former pastor, preaching the sermon. The day had been dark and lowering; but during the ordination service the sun burst forth and shone full on the young pastor's head—bright omen of prosperous days to come. On the 31st of August following, in presence of an audience, crowded to the aisles, Mr. Fay preached the last sermon before his summer vacation; and, at the close, was married to Mrs. Sallie (Rawson) Cox, of Arlington, Mass., Rev. S. P. Fay, by special license, performing the ceremony.

In October of that year, Joseph Dow resigned the office of clerk of the church, to which he was elected in October, 1863, and John Willcutt was chosen in his stead. Afterward, the pastor became clerk.

Mr. Fay's pastorate was a harmonious one, but it was short. He was dismissed, at his own request, November 16, 1886; and a month later, was installed pastor of the Central Square Congregational church, in Bridgewater, Mass. Another remove was effected, in October, 1888, to his present pastorate, in Westborough, Mass. His son, Dexter Rawson, was born in Bridgewater.

After Mr. Fay's removal, no effort was made to formally install a successor in Hampton, till the present year, 1892, when Rev. JOHN A. ROSS, the acting pastor, who began his ministrations in July, 1887, was cordially invited to settle. The installation took place on the 14th of June; Rev. Cyrus Richardson, D.D. of Nashua, preaching the sermon. The affairs of church and society move prosperously on.

Mr. ROSS was born in Lunenburg, N. S.; graduated from the Free Church College, now merged in Dalhousie College, Halifax, N. S., in 1851; from the Free Church Divinity Hall, Halifax, in 1854; and was a resident at Andover Theological Seminary, in 1859. He married Louisa Todd, of St. Stephen, N. B.; practised law for a short time, in Boston; was acting pastor at New Gloucester, Me., from 1860 to 1864; supplied the church in Marion, Ia., 1864 to 1866, and was its pastor, 1866 to 1873; was pastor of the North Church, Belfast, Me., 1873 to 1886; and came to Hampton after a short residence in Boston. Mr. and Mrs. ROSS have a son, William T., civil engineer, in Brewster, N. Y.; a daughter, Ellen A., married in Hampton, September 3, 1889, to Eugene S. Campbell, telegraph operator here, now of Wilmington, Mass.; and a younger son, John A., who lives with his parents.

David S. BROWN, for twenty years clerk of the Congregational society, retired from office in March, 1887, and John F. MARSTON was chosen clerk.

A notable event within the present pastorate, was the two hundred fiftieth anniversary of the Congregational church in this town, celebrated August 19, 1888, the Sabbath following the town celebration.¹ All the Hampton churches, together with the Congregational churches within the ancient limits of the town, were invited, and the house was filled to its utmost capacity. Rev. Mr. ROSS preached an historical sermon, and the ex-pastors, Rev. Messrs. Fay, Colby, Dodge and Fay, the only survivors who have ever been installed here by a council, made short addresses.

[*Note.* The senior deacon, Joseph DOW, elected February 26, 1857, died on the 16th of December, 1889. Josiah J. Dearborn is his successor in office; and Jeremiah Locke has been chosen to relieve the

¹Chap. XXXIII.

present senior deacon, James Perkins, from active duty, when he shall so desire.—Ed.]

The Woman's Missionary Society, connected at first directly, and now through the New Hampshire Branch, with the Woman's Board of Missions, was organized in 1871; and has, with its mission circles of young people, contributed an aggregate of about thirteen hundred thirty dollars, for foreign missionary work. A home missionary department was added in 1890.

A Young People's Society of Christian Endeavor has been an active element in the church since 1888.

THE FREE BAPTIST CHURCH.

In Chapters XV and XXV have been sketched some of the events connected with the rise and gradual expanding of a new religious element in the old church of Hampton, and their outcome in the formation of the Baptist church. Let us briefly review:

In the spring of 1808, a union of the Presbyterian and Congregational churches was effected, which restored the latter to its former position as the church of Hampton, the town holding the property and exercising control. In June, of the same year, Rev. Josiah Webster was installed pastor. There were, however, a few citizens, who, either from jealousy, prejudice or principle, declined to be a party to this reunion. They had become interested, more or less, in the doctrines of Elder Elias Smith, who had been holding religious meetings in Portsmouth and elsewhere. Some of his teachings not harmonizing with the belief and doctrines of the home church, brotherly love was *dis*-continued; the seed of ill-feeling was sown; strife and bickering were the outgrowth; and the riot of September followed.¹

After the heat of passion had subsided, wiser counsels prevailed on both sides,—the old church recognizing the right of freedom of conscience, and the adherents of the new denomination, called Christian, entering a sphere of usefulness as a distinct sect.

It was not until 1814, however, that they became strong enough to colonize. Mr. Simon Garland, of North Hampton, gave a building, which they fitted up for a meeting-house where it stood, at the corner of his pasture, on Lobbs' Hole road; and in July, of that year, they held their first meeting there, Elders Jabez True and Henry Pottle conducting the services. From this time they continued to worship in their own house, some of the Little River people uniting with them till a church was built in that village; when this house was moved on to the

¹ Chap. XV.

Portsmouth road, opposite Giles' swamp. It was the same house that long afterwards was occupied by the Methodists, and later, by the Adventists. It has since been placed on a lot near the present Methodist church, and converted into a comfortable dwelling-house.

In 1817 the Legislature of New Hampshire passed an act, "To incorporate John Dearborn (and twelve others) into a religious society, to be known by the name of THE FIRST BAPTIST SOCIETY IN HAMPTON." At a legal meeting of the society, July 21, Joshua Lane was chosen Clerk, "to act as such until there be another chosen."

The records of the society are meager during its early years. Transient preachers were employed till, in 1819, ELDER JOHN HARRIMAN became the pastor, who remained a little more than three years, and about 1822 removed to Plaistow and afterwards to Canterbury. [See Genealogies—Harriman.]

From this time the society held their meetings with or without a preacher, as occasion permitted, until 1834, when an enterprise was undertaken which greatly advanced their interests.

In the beginning of that year, a new building site, the one still occupied, was purchased by a committee, consisting of Samuel Drake, Samuel Dearborn, David Towle, Jr., and Samuel Garland, and the society proceeded at once to erect a house of worship, forty by forty-eight feet—which was completed by October. On the 10th of that month, the old house seems to have been used for the last time, and the meeting adjourned to the 16th, to the house of Joshua Lane, where a church of twenty-four members was organized. The Constitution adopted at this time begins thus: "Believing that the cause of God requires the establishment of better order than has been usual with the people called Baptists, in Hampton, and that the time has now arrived in which we should set in order those things that are wanting among us: we therefore, whose names are hereunto annexed, agree to form ourselves into a church, to be called the CHURCH OF CHRIST WITHIN THE FIRST BAPTIST SOCIETY IN HAMPTON." Then follow the articles of agreement. The same year, REV. TIMOTHY COLE became pastor, and continued in office till 1838. It was during his pastorate (in 1837), that the use of the old meeting house was given to the Methodists, who repaired and rededicated it, as related in the history of that church.

In 1838 REV. ELIAS HUTCHINS was called to the pastorate. The next year the division of the ecclesiastical property among the religious societies of the town was agreed upon, as related in Chapter XXV. A section and tower were added to the church edifice.

Elder Hutchins was born in New Portland, Me., June 5, 1801. He

began to preach before he was eighteen years old, when he entered upon an itinerant ministry, which he followed for nearly fourteen years. He was ordained as an evangelist, at Wilton, February 1, 1824; spent several years in missionary work in Ohio and Indiana; labored also in North Carolina, where "many of the slaves flocked to hear him preach." In 1832 he married Lucy Ambrose of Sandwich, and soon after, became pastor of a church in North Providence, R. I., resigning in 1838. After the Hampton pastorate, he was settled five years in Newmarket, where his wife died, leaving an infant daughter. In 1845 he accepted a call to the Washington street church, Dover; and the next year married the widow of the Rev. David Marks. In 1858 ill health, from which he never recovered, compelled him to resign his pastorate. He died in Dover, September 11, 1859.

Elder Hutchins was for many years officially connected with the various missionary and educational societies of his denomination.

REV. PORTER S. BURBANK was the next pastor of the Free Baptist church. He came in 1840, and remained five years, when he was succeeded by REV. WILLIAM D. JOHNSON for a time; but Elder Burbank returned in 1846, to another pastorate of two years.

In 1840 occurred another important epoch, when the church joined the Rockingham Quarterly Meeting—that is, changed from Christian to Freewill Baptist, now called Free Baptist. Four years later the Constitution was revised, and the present church covenant adopted, the pastor, together with David Garland, Amos Towle, Samuel Drake and Daniel Moulton being the committee on revision. The church had then recently received an accession of twenty-five members, as the fruits of a revival the preceding year.

Rev. Porter S. Burbank was licensed to preach by the Waterville Quarterly Meeting, at Industry, Me., in 1836. He was principal of Strafford Academy, N. H., three years, and taught elsewhere, in various high schools and seminaries; was president of the Education Society eleven years, and corresponding editor of the *Morning Star* from 1833 to 1866. He was ordained, June 13, 1840; and besides his Hampton pastorate, held others, in Deerfield, New Hampton and Danville, and in West Buxton and Limerick, Me. He spent the last ten years of his life in South Parsonsfield, Me. [See Genealogies—Burbank.]

REV. WILLIAM P. MERRILL became pastor in 1848. The next year the meeting-house received a new coat of paint. Soon after the painting, lightning struck the tower—not, however, doing very serious damage. The pastor, referring to the event on the next Sabbath, remarked: "The Lord didn't show much respect for the new paint."

REV. R. ASHLEY became pastor in 1850, REV. FREDERIC MOULTON, in '51 and REV. WILLIAM ROGERS, in '58. Thus far, the pastors had lived in hired houses, wherever they could be obtained most conveniently; but in 1854 the society built the parsonage which has ever since been the home of its pastors, Elder Rogers and his family being the first to occupy it. After a three years' pastorate, he was succeeded by REV. WILLIAM H. WALDRON, one year, and REV. WILLIAM C. CLARK, one year. During the latter pastorate occurred the great revival of the winter of 1857-8, following which twenty-four converts were baptized by Elder Clark and received as members of the church.

On the 8th of September, 1858, REV. DR. WITT C. DURGIN was ordained and became pastor of the church—which pastorate was held twelve years, being the longest in the history of the church.

Mr. Durgin was born in Thornton, N. H., March 29, 1830, being a son of Captain Francis and Maria (Eager) Durgin. He entered Waterville College, Me., in 1852, and was graduated from Union College, N. Y., in 1856. For the next two years, he was principal of Lackawanna Institute, Pa. He married Caroline A. Chapman, of North Parsonfield, Me., in 1857, and the next year, came to Hampton, where his ministry was characterized by a cordial fraternity with pastors and people of other denominations, and the whole period was one of good will among the churches.

Mr. Durgin was principal of Hampton Academy for a time. He represented the town in the General Court in 1869 and 1870. During his pastorate, he received twenty-one new members to the church.

After leaving Hampton he preached one year for the Hampton Falls and Seabrook society, at the church known as the "Line church," thence removed to Newmarket, where he was pastor for three years. From the latter place, he was, in 1874, called to the presidency of Hillsdale College, Mich.,—an office for which he was eminently fitted and which he filled successfully for ten years. The degree of Doctor of Divinity was conferred by Bates College, in 1875.

In 1881 he went to England, as a delegate to the General Baptist Association; and the same year visited Iceland, where he was made a member of the Icelandic Antiquarian Society. His lectures on Iceland are an outcome of his explorations there.

Dr. Durgin now preaches in Newmarket, where he and his wife reside. Of their two children, born in Hampton, Clinton C. is a lawyer in Grand Rapids, Mich. and Carolyne G. is professor of Greek in Pike Seminary, N. Y.

REV. FRANCIS H. LYFORD was called to the pastoral office in Hampton, in 1870; succeeded by REV. GEORGE J. ABBOTT, in 1878. At



REV. DE WITT C. DURGIN, D.D.

Portrait contributed by former parishioners, pupils and fellow-citizens of Hampton, in token of their regard.

the annual town meeting in 1874, Mr. Abbott was elected superintendent of the public schools, and held the office one year. He continued pastor till 1877. He died in Oakland, Me., November 8, 1883.

The next pastor, REV. LOT L. HARMON, was born in Madison, N. H., in 1826; entered Bangor Theological Seminary in 1860, having already been a preacher several years; and after graduating, continued pastoral and Sunday-school work in Maine till June, 1876, when he settled in Portsmouth for a year. He married Mary J. Butler, and in August, 1877, came to Hampton, where he was an acceptable and successful pastor nearly four years. They now live in Pomona, Fla. Their son, George B., was born in Hampton, October 24, 1879.

In the spring of 1878, the church was moved back on the lot, giving better frontage, and raised about ten feet, and a convenient and attractive vestry added as a basement.

REV. F. P. WORMWOOD became pastor of the church in 1881, and REV. ARTHUR L. MOREY, the next year.

The venerable Daniel Moulton, who was elected clerk of the church December 6, 1851, resigned the office in the spring of 1883, when the church gave him a vote of thanks "for faithful and long-continued service."

Mr. Morey was born in Moira, N. Y., January 11, 1847. He served three years in the war, from the age of fourteen. After this, he obtained an education, graduating from Bates College in 1876. July 8, of the same year, he married Hattie W. Patterson, of Lewiston, Me., and on the 25th of October following, was ordained at Lancaster, N. H. After preaching for awhile, he entered Bates Theological School, graduating in 1882. He then came to Hampton, and remained three years. He died in West Derby, Vt., May 12, 1887. His wife and one child survive him.

The next pastor, REV. JOHN B. MERRILL, son of Ralph D. and Judith (Coggs) Merrill, of Atkinson, was born May 4, 1846; attended Atkinson Academy, and studied under a private tutor from Harvard College one year. He married Sarah A. Merrill, June 11, 1869, and has two daughters.

His parents were Congregationalists, and he began to preach in that denomination; but joined the Free Baptists in 1867, and held several pastorates in Maine and New Hampshire. He came to Hampton in 1885. Soon after, the question of remodelling the church began to be agitated—a measure which was carried out the next year, at a cost of about \$3,100, and a large amount of free labor. The pastor himself was indefatigable, his hammer resounding with the rest; his skilful hand wielding the brush in decorative painting.

The preceding winter a marked revival had been enjoyed, which resulted in the addition of twenty-one members to the church.

At a church meeting, March 14, 1886, the following resolution was adopted :

"Whereas, the duty of the church to care for its members severally is unquestioned, and the covenant meeting is a great help to those who attend,

Therefore, resolved : That we recommend that the church of this Quarterly Meeting establish one of their covenant meetings as an *annual* covenant meeting, at which every member be previously invited to report, by personal presence or by letter, or verbal report of some member, and that resident members that do not report for one year be visited by a committee."

February 4, 1887. "Voted that the annual covenant meeting of this church be held on the Friday evening preceding the first Sabbath in May."

April 29, 1887. The record of the annual covenant meeting shows that there were then eighty-two members of the church.

Early in 1888 Mr. Merrill resigned the pastorate, and soon after removed to Epsom. In the autumn of the same year, the church voted to request the Quarterly Meeting at Candia, to send a council of ministers to ordain Rev. WILLIS A. TUCKER as pastor. Accordingly, the ordination service was held on the evening of October 29, 1888, and was as follows: sermon by Rev. D. W. C. Durgin, D.D., (former pastor), from Hebrews XIII: 17; ordaining prayer by Rev. J. C. Osgood; charge to the church, Rev. F. K. Chase; charge to the pastor, Rev. J. S. Harrington; right hand of fellowship, Rev. C. C. Foster; address of welcome to christian work in Hampton, Rev. J. A. Ross, pastor of the Congregational church; benediction by the pastor.

Rev. Willis A. Tucker, son of Francis A. and Lydia M. (Edes) Tucker, was born at Guilford, Me., educated in the academies of Monson and Foxcroft, and graduated from Cobb Divinity school in 1888. In 1879 he married Martha S. Hammond, and has two children living. His connection with the Hampton church terminated in April, 1892, when he immediately entered upon a new pastorate at South Windham, Me., and the Free Baptist church in Hampton is now to seek another pastor.

Deacons, from the beginning to the present time : Amos Towle, Jr., Joshua Lane, Alvin Emery, David Garland, Jr., Charles M. Perkins, William L. Blake, John A. Towle, David J. Garland.

Clerks of the church : Joshua Lane, Samuel Garland, Samuel Drake, Daniel Moulton, John M. Akerman, Frank B. Brown.

A Ladies' Missionary Society, with well-sustained interest, is connected with the church.

THE METHODIST EPISCOPAL CHURCH.

When Methodism was introduced into Hampton, a Congregational and a Christian society had occupied the ground for many years. Rev. James M. Fuller preached the first Methodist sermon, in the North school-house, on Saturday evening, sometime in the month of December, 1835. The Sabbath following, he preached to a small congregation in an old meeting-house, at that time unoccupied. He was stationed that year at Lamprey River, Newmarket. After two weeks Rev. James H. Patterson, stationed at Newfields, now South Newmarket, preached in the same place. From this time there was no more preaching by Methodists till sometime in July, 1836, when Mr. Fuller came again. From July until November, there was preaching regularly, once in two weeks, by local preachers; the congregation gradually increased, and two or three were converted.

Sometime in the month of November, the friends of Methodism held their first "protracted meeting," at which about twenty were hopefully converted to God, who were immediately united together in a class. The society worshipped in the small house before mentioned, formerly occupied by the Christian society. In the following spring the house was given to the Methodists, for their special benefit, as long as they should occupy it as a place of worship. After being repaired and fitted up for the purpose, it was rededicated to the worship of God, on the 22nd of May, 1837. The sermon on the occasion was preached by Rev. J. M. Fuller, from Psalm 93: 5 — "Holiness becometh thine house, O Lord, forever." The same month the Sunday school was organized, with Jonathan Towle for superintendent.

At the Conference at Great Falls, July 4, 1837, REV. JOHN BRODHEAD was appointed to preach in Hampton. He labored faithfully and with some success until the following spring, when he was called to his reward, deeply lamented by the church of his choice. He died in peace, at his residence in South Newmarket, on the seventh of April, 1838, leaving behind him many witnesses that his "labor was not in vain in the Lord."

Rev. John Brodhead was born October 5, 1770, in Lower Smithfield, Pa. In 1794 he entered the travelling connection, and the two following years was stationed in New Jersey and Maryland. In 1796 he came to New England where he was among the pioneers, forming new societies in various places in each of the New England states and

Lower Canada. He filled many important offices in the church, and, especially in the early part of his ministry, his labors were exceedingly arduous and eminently successful.

His constitution becoming impaired, in 1811 he was stationed at what is now South Newmarket, where, after this period he usually resided. During his life, he was several times elected to the New Hampshire senate and council; and was four years a representative in Congress.

Father Brodhead was a good man, deeply pious, ardently and sincerely devoted to the interests of the church and mankind. From the time of his death until the next Conference, the little society in Hampton was supplied with preaching by brethren whose sympathies and labors were enlisted in their behalf.

At the Conference held at Danville, Vt., July 5, 1838, REV. WILLIAM PADMAN was stationed in Hampton. His labors, by the Divine blessing, were rendered successful in the awakening and conversion of some scores of souls, but few of whom, however, were gathered into the Methodist church.

The next year REV. SAMUEL A. CUSHING preached a part of the year in Hampton, and REV. ABRAHAM M. OSGOOD, the remainder. In 1840, Mr. Osgood was returned and labored successfully with the struggling society the second year.

At the Conference held at Dover, June 28, 1841, REV. ABRAHAM FOLSOM was appointed to Hampton. He was careful to look after the financial interests of the church. Through his influence, the legal society was formed known as "The First Methodist Episcopal Society of Hampton." It was organized April 8, 1842. This society received two thousand dollars of the ecclesiastical fund of the town, in its distribution among the churches. Rev. Abraham Folsom died in 1872, and his wife, four years later. Both were brought to Hampton, and interred in Mr. Sewell W. Dow's lot in the cemetery.

At the Conference held at Newbury, Vt., June 22, 1842, REV. HORATIO N. TAPLIN was stationed in Hampton. He preached with good success for two years. In this, as well as every other station, he was greatly beloved, being a man of an excellent spirit. He baptized fourteen persons, some of whom are among the present active members.

Rev. Horatio N. Taplin was born at East Corinth, Vt., August 7, 1817. He was converted in the eighteenth year of his age, and joined the Church Street Methodist society, Boston. There he remained two years, when he became convinced that God called him to preach the gospel, and returned to Corinth, to make preparation therefor. Soon afterward, he entered the Newbury Seminary, where he remained

two years, and received a local preacher's license. In May, 1841, he married Susan Ketchum, of Barre, Vt., and in June following, joined the New Hampshire Conference. He subsequently labored as follows: At South Newmarket, two years; Hampton, two years; Epping, two years; Manchester Center, one year; Landaff, two years; Enfield, one year; Sandwich, two years. In October, 1854, he was prostrated by typhoid fever, which destroyed his physical energies, and induced quick consumption. He rose on the morning of January 19, 1855, complained of faintness, and immediately expired, leaving a widow and three children. Brother Taplin was an acceptable preacher and a faithful pastor. In promoting the interests of Sabbath-schools and in gaining the affection of the young he excelled.

In 1844 REV. JOHN F. ADAMS supplied at Hampton; the following year REV. JAMES M. YOUNG. In 1856 REV. CHARLES H. CHASE was appointed here; and through his efforts, the parsonage was procured, at an expense of about six hundred dollars. The next preacher was REV. HENRY NUTTER, who remained two years. He was the first to occupy the parsonage, and before he left, a new church was built, at a cost of fifteen hundred dollars. It was dedicated by Rev. Benjamin R. Hoyt, in November, 1848. A good revival was enjoyed, and thirteen were baptized by the pastor. The next year, Rev. A. M. Osgood was reappointed here; followed by REV. IRA A. SWEATLAND, in 1850, and REV. MATTHEW NEWHALL, in 1851.

In 1852 Rev. Abel Heath was appointed here by the Conference held at Nashua: but he was there taken with typhoid fever, and in a few days died. Mr. Newhall remained therefore, the second year, and labored faithfully and with good success. He was followed by REV. JAMES M. HARTWELL, one year. REV. JOHN ENGLISH came in 1854, and remained two years. He also enjoyed a good revival. Being an earnest and faithful man, he will be remembered with gratitude by many true friends in Hampton.

REV. JOHN W. JOHNSON, stationed here in 1856, preached with great acceptance for two years, and his labors were not in vain in the Lord. About twenty-two were baptized as the fruits of the revival.

The history of the church, to this point, was furnished by REV. NATHANIEL N. CHASE, who followed Mr. Johnson in the pastorate, and himself labored faithfully the next two years. Subsequently, he was stationed here one year more. Mr. Chase has since died, after a long and useful career as pastor of churches, and agent of the New Hampshire Bible Society. Succeeding pastors of the Hampton church have been:

Rev. Joseph Hayes,	1860.	Rev. Ellhu Scott,	1872-3-4.
" F. K. Stratton,	1861-2.	" J. H. Knott,	1875-6.
" S. F. Whidden,	1863.	" J. P. Frye,	1877-8.
" E. Lewis,	1864.	" A. B. Carter,	1879-80.
" N. L. Chase,	1865.	" J. F. Spalding,	1881-2-3.
" A. C. Coult,	1866.	" H. B. Copp,	1884-5-6.
" A. A. Cleaveland,	1867-8.	" W. C. Bartlett,	1887-8-9.
" G. W. Ruland,	1869-70.	" C. M. Howard,	1890.
" S. J. Robinson,	1871.	" Noble Flak,	1891-2.

Rev. ELIHU SCOTT, the first pastor for a term of three consecutive years, after he became superannuated, removed permanently to Hampton, where he spent the last years of his life, revered by the entire community. Here his wife died, in 1884; and after four more years, he, too, was gathered to his fathers, in a good old age; having been a faithful preacher of the Word, and long a trusted officer of the Conference. Both were laid to rest in the Hampton cemetery.

In September, 1881, the church building was removed to its present site, nearer the centre of the town; and, largely through the untiring zeal of Mr. Spalding, the pastor, it was thoroughly and tastefully remodelled and furnished with a bell, at a cost of thirty-one hundred dollars and much gratuitous labor. The work was pushed vigorously, and the church rededicated, January 5, 1882, Rev. Dr. B. K. Pierce preaching the sermon.

Connected with this church is a sewing society, which has been carried on uninterruptedly for many years; the Ladies' Missionary Society is of more recent date; and an Epworth League was organized in the latter part of Rev. Mr. Bartlett's pastorate.

THE SECOND ADVENT CHURCH.

When William Miller proclaimed through the country the second coming of Christ, in 1843, a few individuals in Hampton embraced his doctrines. When, a few years later, the Methodists built their new meeting-house, the Adventists, or "Come-Outers," as they were oftener called, stayed behind, and continued for some time to worship in the old house, that had already been the church home of two denominations. They were too few, however, long to maintain a service of their own, but they never gave up their faith.

About the year 1870, the doctrines of the Second Advent church began to gain new adherents in Hampton. Tent meetings were held, and efforts made to promulgate that faith. A revival followed, which resulted in the gathering of a congregation, the leasing of a plat of land for a term of years, and the erection of a chapel, completed in November, 1871.

Meetings were held with considerable regularity and interest for several years; and on the 18th of January, 1877, a church was organized, which has ever since held on its way, and been a means of good in the town. The present membership is about thirty. A committee of correspondence furnish the preachers, fortnightly, but the house is opened for a prayer-meeting every alternate Sabbath morning. The Wednesday evening neighborhood prayer-meetings have been sustained without a break for several years. The compactness of the parish renders this comparatively easy, nearly all being resident in the east part of the town, where five or six dwellings in regular rotation are opened for the evening meetings.

In 1890 money was raised to buy the land on which the chapel stands, and the finances of the little church are in a prosperous condition, its members taking the lead of all the churches, in the generosity with which, according to their strength and means, they contribute for its support.

The Advent church in Hampton can hardly be termed an offshoot from either of the older churches; for while it has drawn to itself some members formerly connected with other denominations, it is in a considerable degree composed of people not before belonging to any church, who, having been first attracted by revival preachers and an ardent manner of worship, have next been led to embrace the doctrines taught; so that really a new element of christian activity came into the town when the Advent church came, and a new congregation arose, without materially weakening the other churches.

GENERAL OUTLOOK.

It is sometimes said that religious observances have deteriorated in these latter days. "In 'the good old times,'" people cry, "everybody went to church all day. Now look!" and they point out house after house up and down this street and that, from which not a single church-goer issues on Sunday morning. "As to an afternoon service," they say, "nobody thinks of going; it is too hot in summer and too cold in winter, and too wearisome all the year round. Ministers used to preach two sermons, each a solid hour long, every Sunday; and absentees were admonished, disciplined, fined: now, a single half-hour sermon is quite enough, both for preacher and people. Thanksgiving and Fast days were religiously observed once; but now the latter is a mere holiday and the union service of all the churches at Thanksgiving is more thinly attended than the service of the one church was, in 'the good old times.'"

Very true, the ancient ansterity has passed away, and a more cheerful, but we think not less earnest religion has taken its place. The church no longer dictates, nor is the pastor regarded as a higher order of being, little less than divine. Forms and methods have changed, both in worship and in work; and though it must be confessed, there is too much laxity in Sabbath observance, too much neglect of public worship, perhaps too little aggressive christian work done, yet it is certain, the demands of the times are more nearly met by present methods than they would be by a return to the old order of things, if that were possible.

EDUCATIONAL.



CHAPTER XXVII.

THE COMMON SCHOOLS.

SOME EARLY TEACHERS.

BY the provisions of the school law of 1647,¹ Hampton, containing more than fifty householders, was required to maintain a free school.

To find a competent teacher and to provide means for his support could not have been an easy matter; for only ten years before, nearly the whole territory was an unbroken wilderness, with no roads, no cleared lands, no inhabitants but Indians, no dwellings but wigwams. To construct needful roads, to clear and cultivate portions of land, to build houses, however rude in construction, and to provide the means of subsistence, must have taxed all the energies of the people, demanding of them untiring industry, hard labor and the most rigid economy.

More than a year passed away before the law was carried into effect. An earlier compliance was probably impracticable, either from want of means for paying a teacher, or a difficulty in finding a suitable one. The man at length employed was JOHN LEGAT, with whom some of the people appear to have had a previous acquaintance; for on the 30th of October, 1640, the town had voted to receive him as an inhabitant, and on the 23d of March following, at his request, had granted "the lot that Eldred was to have had, in the Wigwam Row, unto the said Jo[hn] Legat, he coming and dwelling upon it." If he came to Hampton at that time, it is evident he did not long remain, for in 1648 he was living in Exeter.

The fact and the terms of his engagement as a teacher in Hampton appear from the records: "On the 2 of the 2mo: 1649: The selectmen of this Towne of Hampton have agreed with John Legat for this present yeare insueing—To teach and instruct all the children of or belonging to our Towne, both mayle and femalle (wch are capiable of learning) to write and read and cast accountes, (if it be desired), as diligently and as carefully as he is able to teach and

¹ Chap. II.

instruct them ; And so diligently to follow the said employmentt att all such time and times this yeare insueing, as the wether shall be fitting for the youth to com together to one place to be instructed ; And also to teach and instruct them once in a week, or more, in some Arthodox chatechise provided for them by their parents or masters. — And in consideration hereof we have agreed to pay, or cause to be payd unto the said John Legat, the som of Twenty pounds, in corne and cattle and butter att price currant, as payments are made of such goods in this Towne, and this to be payd by us quarterly, paying £5 every quarter of the yeare after he has begun to keep school."

This is the contract. The date of commencing the school appears from the records: "John Legat entered upon schooling the 21 day of the 3 month, 1649."

From another source we learn that this teacher was not promptly paid for his services, for at the October term of the county court holden at Hampton the next year, John Legat sued Anthony Stanian and Robert Tuck, two of the selectmen, in behalf of the town, in an action "of debt for scooleing & other writings done for y^e Towne." The plaintiff withdrew his action, and the case was probably settled by the parties.

The foregoing agreement, in connection with the memorandum of the time of beginning school, is interesting and important, as showing,

1. The exact date of the opening of the first public school in the town: "The 21 day of the 3 month 1649," O. S., or May 31, 1649, as we now reckon time.

2. For whom the school was intended: For "all the children of or belonging to our town, both male and female (which are capable of learning)" — no restriction as to age or attainments of the children, or the social condition of the families to which they belonged. Girls as well as boys were to have the benefit of the schools. This proves the fallacy of the statement, so far as relates to Hampton, "that for more than one hundred fifty years, girls were excluded from the privileges of the schools in New England."

There are on record numerous votes passed by the town, relating to schools and the hiring of teachers during the next hundred fifty years ; but only a few teachers are mentioned by name,—not more than three or four. From other sources, the names of several have been learned, and some facts in regard to them.

SETH FLITCHER was here as a teacher in 1654. The date of his taking charge of the school, or the length of time he taught, has not been ascertained. Indeed, the only evidence of his having been the teacher

is a receipt given by him, October 19, 1654, to one of the tax-payers, for his school-rate "for the whole year." Mr. Fletcher appears to have been a man of some importance. He was sometimes employed as a surveyor,—in one case, at least, to make a survey and plan to be used in settling a controversy about certain town lines.¹ He was afterward the first minister of Saco, Me., being employed in 1666, for one year, and afterwards from year to year, probably till 1675, when the town came near being destroyed by the Indians.

The next teacher to be mentioned is JOHN BARSHAM, a graduate of Harvard College in 1658. He was here as teacher two years or more, beginning sometime in 1660. At a town-meeting held May 16, 1661, a vote was passed, recorded as follows: "Itt is Agreed y^t Thomas Marston & William Moulton shall Joyne with John Sanborn to Hire the p^rsent schoolemaster for another yeere p^rvyded they shall nott exceed the som of twenty-six pound for his yeeres wages nor be more difficult in his pay than the last yeere." This teacher's name is not mentioned in the record, but from another source we learn that Mr. Barsham was here in 1661, and the next year. Evidently, money was hard to raise, for his wages, as well as Legat's, remained partly unpaid for a considerable time; and he brought a suit against William Fiffeld, in an action of debt for £26 "due by bill in consideration of keeping schoole in Hampton in 61 & 62 & for due damages. The Jury found for the plaintiff £29 damage & costs of court."

November 18, 1670, the town voted "thatt the Schoolemaster Rate for this year shall bee Raised by Estates of the Inhabitants as other Towne Rates are."

In 1671 the school was taught by JOHN STEPHENS, of whom but very little is known. Judging, however, from the correct language, tasteful arrangement and neat penmanship of several specimens of his writing extant, he must have been a man of considerable mental cultivation and refinement. The salary paid this teacher is not shown by the records, but whatever it may have been, it was according to the vote of the town just mentioned, to be raised "as other town rates are." But February 10, 1673, this regulation was so modified that only £10 of the teacher's wages could be paid out of the money raised by taxation in the usual way, and the rest was to be assessed on the children attending the school. Under this arrangement, the school was not strictly a *free school*.

The usual way of employing a teacher was for the town to authorize and direct the selectmen, or a special committee chosen for the

¹Chap. VII.

purpose, to attend to the business, leaving them to act in general, according to their own judgment, but sometimes giving particular instructions. In some cases the town determined by a direct vote whether a particular person should be employed. An instance of this kind occurred, probably, when Mr. Stephens closed the term of his engagement. At a town-meeting 19:9mo (November): 1674, a vote was taken on the question, whether the town would receive a certain man of Andover, as schoolmaster, and it was decided in the negative.

The next person known to have been employed as teacher of the school was THOMAS CROSBY, probably a son of Dr. Anthony Crosby, of Rowley, Mass., whose widow, in 1678, married Rev. Seaborn Cotton, pastor of the church in this town. Her son may have come from Rowley with her and settled here, as in the town records are given, between the years 1687 and 1708, the births of his children, eight in number. In 1701 the town having laid out a large tract of land, voted that "Thos. Crosby, the present schoolmaster," should have two half shares in this land—about eighty acres.¹ How long he was in charge of the school does not appear. If, however, he had been employed only a few months, it is hardly probable that such a grant would have been made to him as a schoolmaster.

After Mr. Crosby left the school, it was probably placed under the care of DANIEL RINDGE, A.M., son of Daniel Rindge, of Ipswich, Mass., a graduate of Harvard College in 1709, who died here, July 8, 1718, in the 22d year of his age. On the 11th of April, 1718, he had been sent for to the council-board, to confer with the governor and council and the minister of the town of Portsmouth about his becoming master of the school in that town, in which Latin as well as English was to be taught;² to which situation he was then appointed for the term of four years.³ It is believed in Hampton that he was here at that time, engaged in teaching, and before the term of his engagement expired, was stricken down with disease which resulted in his death.

September 28, 1714, the town chose a committee of three to hire a schoolmaster for the whole town. The records do not show who was hired; but during some portion of the next four years, one HUMPHREY SULLIVAN was the teacher. This appears from the record of a vote taken at a meeting of the "old parish," September 17, 1718, warned "to consider about hiring a schoolmaster." At this meeting, "y^e late schoolmaster, Humphrey Sullivan was put to vote and not accepted of." We know nothing more of this man.

¹ p. 180.² p. 184.³ Prov. Pap. II: 681.

In the spring of 1718 *Hampton Falls* was made a parish—virtually a town. Any statements about our schools of a later date relate only to the “town side,” or the territory north of Taylor’s river.

SOLOMON PAGE, a native of Hampton, was graduated at Harvard College in 1729, and afterward engaged in teaching and in preaching. He was a resident here for several years after his graduation, was the schoolmaster, and was employed for some months to preach during the illness of the pastor, Rev. Mr. Gookin.¹

Another teacher was THOMAS BARNARD, a graduate of Harvard in 1732. In October, 1735, he was admitted to the church, being then the “schoolmaster of the town,” as the record shows. He retained his church membership till January 21, 1739, when he was dismissed to one of the churches in Newbury, Mass., of which he was soon after ordained pastor. Mr. Barnard was a man of considerable ability and of good repute, as a minister. How he ranked as a teacher is not now known.

JACOB BAILEY, a graduate of Harvard in 1755, came to Hampton soon afterward as a teacher. He united with the church in March, 1758, being then “schoolmaster of the town.” He remained here for a considerable time, and married Sally, daughter of Dr. John Weeks. He became afterwards an Episcopal clergyman and labored several years as a frontier missionary in Pownalborough, now Dresden, Maine. In the stormy period of the American Revolution he was a *loyalist*, and in 1779 became a *refugee*.

“In the summer of 1779 he went to Halifax, N. S. I give an account of his appearance when he landed in that city, in nearly his own words. His feet were adorned with shoes which sustained the marks of rebellion and independence. His legs were covered with a thick pair of blue woollen stockings, which had been so often mended and darned by the fingers of frugality, that scarce an atom of the original remained. His breeches had been formerly black, but the color being worn out by age, nothing remained but a rusty gray, bespattered with lint and bedaubed with pitch. Over a coarse tow and linen shirt, manufactured in the looms of sedition, he wore a coat and waistcoat of the same dandy gray russet; and, to secrete from public inspection the innumerable rents, holes and deformities, which time and misfortunes had wrought in these ragged and weather-beaten garments, he was furnished with a blue surtout, fritted at the elbows, worn at the button-holes, and stained with a variety of tints. To complete the whole, a jaundice colored wig, devoid of curls, was shaded with the remnants of a rusty beaver; its monstrous brim, replete with notches

¹ p. 334.

and furrows and grown limpsy by the alternate inflictions of storm and sunshine, lopped over his shoulders, and obscured a face meagre with famine and wrinkled with solicitude. His wife's dress was no better. She was arrayed in a ragged baize night-gown, tied around the middle with a woollen string; her petticoats were jagged at the bottom, were ragged above, and drabbled in mud. He became Rector of St. Luke's church, Annapolis, Nova Scotia, and died in that relation in 1808, at the age of sixty-seven. . . . Mrs. Bailey died at Annapolis in 1818, at the age of seventy." [*Sabine's Loyalists of the Am. Rev.* I: 201.].

Next in order as schoolmaster, was SAMUEL COTTON, A.B., who was graduated at Harvard College in 1759. He was received to the Hampton church in March, 1761—"the schoolmaster," according to the record—and retained his connection till December, 1764, when he was dismissed to the church in Litchfield, of which he had been chosen pastor, where he was soon after ordained.

But one more schoolmaster of "ye olden time" need be mentioned. This was OLIVER WELLINGTON LANE, a graduate of Harvard College in 1772. He came to Hampton soon after his graduation, and was teacher during a part or the whole of the war of the Revolution. He was successful in his calling. His pupils were very strongly attached to him. Some of them, late in life, used to speak of him with a great deal of interest.

It has sometimes been stated that all the teachers of the town school in Hampton, previous to the Revolution, were college graduates. While this statement is not wholly correct, it appears from instances here cited, that a large part of them were liberally educated. In a petition to the governor and council in July, 1714, it is represented that the selectmen had hired a schoolmaster for the town, to teach both Latin and English. Who this teacher was is unknown, but from the date it is evident that it could not have been any of those here enumerated.

LOCATION OF SCHOOLS.

The town school was located in the vicinity of the meeting house, until the spring of 1713, though in some instances it was removed to the Falls side for a few months; for example, in 1673 the school was to be kept in the town nine months, and at the Falls side, three months.

November 17, 1699, it was voted "That if falls side, so called, in Hampton, doe provide and pay a schoollmaster for the teaching of their children; They shall be exempted from paying to the schoollmaster at the town side so called." Similar votes were passed at other times.

At a town-meeting, March 11, 1735, it was voted "that the northerly part of the town (now North Hampton) shall have some part of the schooling the ensuing year."

It was voted, March 23, 1756, "That the selectmen shall have the liberty of hiring a common Reading and writing master, and in case a Grammar school is needed, the selectmen shall provide one in the Town, provided that both schools shall cost the Town no more than one constant Grammar school."

March 15, 1757, it was voted "to allow some money to support the schools at Bride hill and Drake side" (the western part of the town).

March 20, 1759, it was voted "to have a school for reading and writing for six months, besides the standing school, to be removed so as shall best accommodate the people."

March 18, 1766, "Voted, that the school shall be removed to such parts of the town as shall be equally beneficial to the whole town—to be determined by the selectmen."

April 7, 1772, a town-meeting was called by request, "to see if the town would remove the school into four different parts of the town, and allow each part of the town part of the money raised for the school yearly." "It was agreed to." Then follow in the record several votes, defining the extent and limits of each of three of these parts,—the rest of the town (nearly the same as afterwards districts Nos. 1 and 2,—about one-half of the town), to constitute the other part. Each of these parts was to have all the school money raised within its own limits by taxation.

The next year it was voted "to remove the Grammar school to Bride-hill — if the people in that part of the town see good to accept it—so much of the time as will amount to their proportion of money raised for the school the ensuing year."

At a town-meeting held March 18, 1800, it was voted "to leave it to the discretion of the selectmen to appoint schools as they think best for the general good of the inhabitants of the town the year ensuing."

A full century and a half had now passed away since the opening of the first school in the town; and through all these years, schools had been maintained; but thus far, no person or persons appear to have been appointed to supervise them.

At an adjournment of the first annual meeting in the present century, held March 26, 1801, the town voted "That the Rev. Jesse Appleton, the Rev. William Pidgin, Dr. Ebenezer Lawrence, Dr. Jona. French, Oliver Whipple, Esq., be a committee to examine our schools the year ensuing."

The selectmen were directed to raise what money the law required for the support of schools, and to take advice of the school committee how the money might be laid out to the best advantage.

In a few instances during the last ninety years, the town has failed to have a school committee; but generally a committee has been chosen at the annual town-meeting, or appointed by the selectmen according to law. A few years the committee has consisted of five persons, more frequently of three, and generally, during the last quarter of a century, of only one, till districts were abolished by law of the state, and old time *committees* were no more.

Fifty years ago the school committee relied more upon certificates of literary attainments and good moral character produced by the applicant, than upon a personal examination, in deciding whether a certificate of approbation should be given. This course was not safe for sometimes candidates poorly qualified for teaching were more amply furnished with recommendations than others abundantly qualified. Later, the course was different. Candidates, whose qualifications were not well known to the committee, were carefully examined, the giving or withholding of certificates depending on the result.

SCHOOL DISTRICTS.

The town, as has been shown by votes passed at different times made changes in the location of the school for some portion of the year, or provided that more than one school should be kept at the same time, in order that the privileges of the inhabitants in the different parts of the town might be equalized as far as practicable. But these were only temporary arrangements, liable to be changed from year to year. For this reason, perhaps, it was not judged prudent to expend much money in building school-houses. Hence, probably we may account for the passing of the following vote, November 30 1801: "That the North District shall have Jonathan Sanborn's Bar for a Schoolhouse."

Indeed, there was no law authorizing the division of towns into school districts till 1805. Nearly two years after the passage of this law, at the annual meeting in 1807, a committee of nine was chosen to district the town, according to law. The committee made four districts, and pointed out the extent of each on the different roads, thus indicating the district to which each house belonged. This division remained without material alterations till 1845, when Robert Smith, Aaron Coffin, John D. Neal, Obed S. Hobbs and William Brown were chosen a committee, to consider how to redistrict the town.

A minority report was adopted, whereby five districts were estab-

lished by metes and bounds. One of them was subsequently divided, making six districts, numbered from one to six, and designated by their respective numbers; and this arrangement continued till school districts were abolished by law, in 1885.

SCHOOL-HOUSES.

No information can be gleaned from the town records, about the first school-house, or any other, built during the first half-century of its history. It is, however, safe to presume that at first the school was kept in a house built of logs.

The first mention of a school-house is an entry made in 1692, during King William's war. The people, liable to be attacked at any moment, had built a fortification around the meeting-house, and at a town-meeting held on the 17th of May, 1692, voted to extend the line of this fortification so as to enclose more space; and liberty was given to build houses in it according to the custom in other forts. It was also voted to build within the fort, at the town's expense, a house fourteen by sixteen feet, for the use of the minister, and when not occupied by him, to be used as a school-house.

At a town-meeting holden September 14, 1696, it was ordered that such materials of the old parsonage-house, about to be taken down, as would not be needed in finishing a new house, should "be improved by the selectmen for the building of a school-house."

On July 14, 1693, the town made two grants of land, one of an acre and a half at the Falls side, and the other of one acre at the town side, to be appropriated for school-house lots forever. The one at the town was to be laid out "on the easterly side of the fort near Philemon Dalton's, so as might be least prejudicial."

The town voted, September 22, 1712, that a school-house twenty-four feet long and twenty feet wide should be built on the lot granted for that purpose near Deacon Dalton's house, and be finished by the last day of April following. It was also voted that the selectmen for the time being should have full power to build the house, and to raise a tax on the inhabitants of the town to pay for it. The lot on which this house was built is the one on which the Center school-house stands; it has been used as a school-house lot (some changes having been made in its form and size), about one hundred eighty years.

The school-house built in 1712-13 was destroyed by fire about twenty-four years afterward, and on March 8, 1737, the town voted that it should be replaced by another of the same dimensions, for the building of which, the town would pay £25. If it be asked why a larger house was not needed to accommodate the school in 1737, than

in 1712, as during a quarter of a century the population must have increased, let it be remembered that more than half the territory of Hampton had been taken to form the parish (or town) of Hampton Falls, which included Kensington and part of Seabrook.

Nothing definite is known in relation to other school-houses built before the year 1800. Those used in the early part of the present century were small, inconvenient and uncomfortable. About the year 1825, new school-houses were built in three of the districts. These were all of brick, and were far better adapted to the purposes for which they were designed than the former ones had been. One of these—that in Bride Hill district,—is still standing, the only brick building in town.

In 1855 a new school-house was built in district No. 3, sufficiently large, well proportioned, well finished and attractive in appearance. The internal arrangement is creditable, and the house has been kept in good repair.

In 1873 the brick buildings in districts No. 1 and No. 2, that had been occupied by the schools about fifty years, and the wooden building in No. 1, that had been used by the primary school about half as long, were removed, to give place in each district to a better school-house, meeting the wants of a graded school. The buildings are of wood, and were finished in season for the winter schools. They are nearly equal in size, but differ in plan and style of finishing. They are two stories in height, each containing a large, well-furnished school-room on each floor, with ante-rooms and other conveniences. The house at the "east end" is forty-six by thirty-two feet, the lower story, twelve feet high, and the upper, ten feet. The whole cost, as shown by the bills, \$5,358.70. The house at the center is forty-seven by thirty-two feet, each story, eleven feet in height; the whole cost, as reported by the building committee, \$4,485.

SUMMARY.

School buildings and furniture were provided at the expense of the town, before it was divided into districts; after that time by the districts severally, till districts were abolished in 1885, when the town again assumed the expense.

The means for the support of schools have been raised principally by taxation. Money received through the state treasury from the Literary Fund, and a portion of that from railroads has been added to the sum raised by taxation, and the whole applied to the support of the schools.

In district No. 1, two grades—grammar and primary,—were sus-

tained for forty years or more. In district No. 2, a like grading was begun in 1874.

In early times men only (as far as any records show) were employed as teachers. It is quite possible, however, that women sometimes taught the schools supported in addition to what the law required. Since 1800, women have been employed more or less, and recently, they have formed a large percentage of our teachers.

In 1873 the town appointed a committee of two from each school district, to devise a more equitable apportionment of the school money. They reported a method, which was adopted, namely: to divide among districts 1, 2, 3, 4, 5 and 6, in the proportion respectively of 29, 26, 12, 10, 12 and 11 per cent of all the money appropriated from year to year for the support of schools.

RECENT HISTORY.

The common schools of Hampton have, in late years, been fairly successful, as country schools rank, nothing specially worthy of note having occurred till the union of Academy and high-school, having a specified course of study, in 1885. Then, a new incentive to exertion arose, quickened through the energy and enthusiasm of Dr. William T. Merrill, who had already been a year in office as superintendent of schools, and who, as a trustee of the Academy, had in this second effort for union (a first having failed), been the moving spirit in the whole enterprise. The promotion of those best qualified, to the high-school, and, for the rest, the hope of future promotion, at once carried the schools into a new era.

A still higher benefit resulted from the enactment of a state law, the same year, abolishing school districts. One grammar school was then established for the town, with such primary schools as were deemed necessary. To quote from the annual report of the Board of Education in the spring of 1887, after the new system had been in operation a year and a half: "By the abolition of the district system, we have been able to give better tuition at less expense *per capita*, and the same opportunities of learning to all the children of the town, giving a graded system with a prescribed course of study, and promotions with reference to an established rule."

CHAPTER XXVIII.

HAMPTON ACADEMY AND HIGH-SCHOOL.

THE PROPRIETARY SCHOOL.

AFTER Rev. Mr. Webster had been in the ministry, in Hampton, long enough to become considerably acquainted with a large portion of the people, he was convinced of the importance of a higher standard of education in the schools. The town was raising, for their support, all the money required by law, and something more. The school children learned to read and spell, write and cipher; and many of them made a laudable improvement of the privileges furnished. Beyond the branches enumerated, but little instruction was ordinarily given by the teachers. They did, however, endeavor to instil into the minds of the children the importance of good manners, and the duty of showing due respect to the aged and to their superiors generally.

While the pastor appreciated the efforts of the teachers in these directions, he thought it incumbent on himself to induce parents to favor the introduction of other branches of study into the common schools, and to foster in the young people a thirst for higher attainments. He was impressed with the belief that, by the opening of a school of a higher order, a new interest would be excited, and a new impulse given to the cause of education.

A considerable number of the parents here and in neighboring towns became interested in the project of establishing such a school. When this point was reached, definite measures to that end began to be taken; and, in answer to a petition to the General Court, the following act of incorporation was granted:

"In the year of our Lord one thousand eight hundred and ten.

An Act to incorporate certain persons, by the name of the Proprietary School in Hampton.

Section 1—"Be it enacted by the Senate and house of Representatives and General Court convened, that Edmund Toppin, Joseph Towle junior, John Fogg, Thomas Ward, Ebenezer Lawrence, Samuel F. Leavitt and Richard Greenleaf, and their associates and successors be, and they hereby are incorporated, and made a body corporate and

politic forever, under the name of the *Proprietary School in Hampton*, and by that name may sue and prosecute, and be sued and prosecuted to final judgment and execution, and shall have and enjoy all the powers and privileges which by law are incident to similar corporations.

Section 2nd—And be it further enacted, that the said corporation may establish a School in Hampton, for the instruction and education of youth, and erect and maintain suitable buildings therefor, and may purchase and receive by donation, and hold real and personal estate of any kind, not exceeding Twenty thousand Dollars in value, provided that nothing in this act shall be construed to exempt more than ten thousand Dollars from taxation.

Section 3^d—And be it further enacted, that the said corporation, at any meeting duly holden, may make rules, regulations and by-laws, for the management of the interests and concerns of the said institution, and appoint such and so many officers as they shall think proper, and prescribe their powers and duties.

Section 4th—And be it further enacted, that the said Edmund Toppan and Joseph Towle junior, or either of them, shall notify the first meeting of said Corporation to be holden at any suitable time and place in said Hampton, by posting up a notification at the meeting-house in said Hampton, three Sundays successively, at which meeting the manner of holding future meetings may be regulated, and any business relating to said corporation, transacted."

The act was approved by the governor, on the 16th of June.

Money being now needed for the furtherance of the enterprise, it was decided to raise the sum of one thousand dollars, in shares of twenty-five dollars each. The subscription list, dated November 26, 1810, is as follows :

Thomas Ward,	. . . . .	4 shares.
James Leavitt,	. . . . .	2 "
Richard Greenleaf,	. . . . .	2 "
Ebenezer Lawrence,	. . . . .	1 "
John Fogg (Northampton),	. . . . .	1 "
Samuel F. Leavitt (Northampton),	. . . . .	2 "
Joseph Towle, Jr.	. . . . .	1 "
Jonathan Marston,	. . . . .	1 "
Willard Emery,	. . . . .	1 "
Edmund Toppan,	. . . . .	4 "
Jonathan Marston, Jr.	. . . . .	1 "
Jabez M. Davison,	. . . . .	1 "
David Nudd,	. . . . .	2 "
Edmund James,	. . . . .	1 "

Simeon Shaw,	1	share.
Isaac Marston,	1	"
Samuel James,	1	"
Abihal Marston (Northampton),	1	"
Theophilus Sanborn (Hampton Falls)	1	"
Aaron Merrill,	1	"
Dudley Dodge,	1	"
Jeremiah Hobbs,	1	"
John Brown,	1	"
Daniel Towle,	1	"
Thomas Leavitt (Hampton Falls),	1	"
John Perkins,	1	"
Dudley Lamprey,	1	"
Josiah Webster,	1	"
Thomas Ward,	1	"
David Garland,	1	"

Having proceeded thus far, nothing more was done, till February 5, 1811, when the first meeting of the subscribers was held, at the house of James Leavitt, Esq., to choose a committee of three, to solicit further subscriptions. Theophilus Sanborn, of Hampton Falls, Edmund Toppan, of Hampton, and Samuel F. Leavitt, of North Hampton, were chosen.

At an adjourned meeting a week later, it was voted, "To accept of the gift, of the town of Hampton, of the Green, where the meeting-house formerly stood," and to erect upon it a suitable school building, on a plan drawn by a committee chosen for the purpose, before the act of incorporation. Thomas Ward, Samuel F. Leavitt and Samuel James were chosen a committee, to receive proposals for building, and to report at an adjourned meeting February 22; but no proposals having been handed in, the work was at a later adjournment put up at auction; the result of which was, that Richard Greenleaf took the contract to do the whole, excepting the rock work, for seven hundred thirty-eight dollars.

At the meeting on the 22nd of February, five trustees were chosen: Rev. Jonathan French of North Hampton, a zealous patron through a long life, Rev. Asa Parker of Portsmouth, James Leavitt and Edmund Toppan, Esquires, of Hampton, and John Fogg, Esquire, a physician, of North Hampton. The latter was chosen president of the corporation, and Thomas Ward, treasurer; and it was further voted, that such of the trustees as were proprietors should have the charge of the building, and make all necessary writings with the contractor.

Shortly afterward, Rev. Josiah Webster, of Hampton, and Richard Pike, of Newburyport were added to the board of trustees: while Rev.

Jacob Abbott, of Hampton Falls, was substituted for Rev. Asa Parker; and in the autumn of the same year, Edmund Toppan, Esq., having resigned, Thomas Ward was elected in his place.

For carrying on the work of building, it was voted that nine dollars be paid on each share on or before April 1st; nine dollars, on or before July 1st; and seven dollars, when the building should be completed, which must be on or before September 1st.

There is nothing on record to show that the house was not completed by the time specified; but we find that five years later, a committee chosen to take into consideration the account of the contractor reported: "That Richard Greenleaf stop his suit against the Corporation and make such repairs on the house as Mr. Jeremiah Hobbs and Samuel Brown jr., may find necessary, in consequence of any defect in the building of said house—and that his account ought to be paid by the Corporation." As there is no further record on the subject, it is probable that the difficulty was then satisfactorily settled.

The school-house was at first a one-story building; but in December, 1820, a proposition was made by Rockingham Lodge, No. 34, of Free Masons, that they build on another story for their own use, on such terms as might be agreed upon by a committee from the Lodge and a committee from the corporation. The record of this proposition is the first, in which the new school is called an Academy. No satisfactory agreement could be made; and the next spring the corporation decided to put on another story and otherwise to enlarge the building to meet the increasing demands of the school. Capt. Simon Towle took the contract, for four hundred fifty-five dollars; to pay which, and for other expenses, thirty-five additional shares, at twenty dollars, were issued. The work was done in the summer of 1821, the school, meanwhile, being kept at the house of James Leavitt, Esq.

TRANSFERRED TO A BOARD OF TRUSTEES.

At a meeting of the corporation, in May, a communication was received from the trustees, expressing sentiments of cordiality toward the Hampton Proprietary School, and proposing the appointment by the proprietors, of a permanent board of trustees, authorized, in a manner similar to the usages of other literary institutions, to solicit and receive in trust donations to aid in establishing and perpetuating an Academy in this town.

The proprietors, pleased with the suggestion of the trustees, requested Rev. Jonathan French to nominate a number of persons, in his opinion suitable for a permanent board; and, at a subsequent meeting,

voted that a new choice of trustees be organized as a permanent board, "with power to fill their own vacancies, and so perpetuate their own body."

Having elected a board of thirteen trustees,¹ the proprietors immediately set about transferring to them all the "rights, interests, privileges and immunities" of the corporation, to be held by them in trust, for the use and benefit of the institution, "and for the promotion of education therein;" the transfer to take effect, when it should receive the signatures of the owners of seven-eighths of all the shares in the corporation; which signatures were at once affixed, and the transfer concluded.

The same day, August 8, 1821, the new board adopted a constitution, previously drawn up by Rev. Messrs. Webster and French, and Timothy Farrar, Esq., of which the following is an abstract:

CONSTITUTION, OR FUNDAMENTAL RULES FOR THE HAMPTON PROPRIETARY SCHOOL CORPORATION.

Article 1st. This Corporation shall hereafter consist of not less than nine nor more than thirteen members, each of whom shall be entitled to one vote and no more on all questions that come before the corporation. All vacancies, as they occur, shall be filled by the remaining members, by election at a legal meeting, and not otherwise. [All property to be held by the members jointly in trust for the institution, as specified in the deed of transfer.]

Article 2nd. [Regulates the time for the annual meeting, which was twice afterwards altered, and at last fixed for the day of the close of the full term; and also declares "a major part of the members" to constitute a quorum.]

Article 3rd. There shall be chosen annually a President, Secretary, Treasurer and Executive Committee; [but the preceptor shall not be chosen President, nor shall any member hold the offices of Secretary and Treasurer at the same time.]

Articles 4th, 5th, 6th, 7th. [Define the duties of the officers; which are substantially in accordance with general usage.]

Articles 8th, 10th. [Relate to the appointment and dismissal of instructors.]

Article 9th. No person shall be chosen a principal instructor, unless he sustain a christian character, and be a man of exemplary manners, of good mental abilities and literary acquirements, and of good acquaintance with human nature, of a natural aptitude for instruction and government; and in the appointment of any instructor, regard

¹ See list at close of this chapter.

shall be had to qualifications only, without preference of kindred or friend, place of birth, education or residence.

Articles 11th, 12th, 13th, 14th. [Show the mutual relations of corporation, teachers and pupils.]

Article 15th. There shall be taught in this Seminary the English, Latin and Greek Languages, Writing, Arithmetic, Music and Arts of Speaking; also practical Geometry, Logic, Geography and any of the liberal Arts and Sciences or Languages, as opportunity and ability may hereafter admit, and as the corporation shall direct. But it is to be ever considered by the corporation and all connected with this Seminary, that these branches of learning are to be prosecuted as subservient to the promotion of true piety and virtue.

It is therefore expected, that the assiduous attention of the preceptor will be paid to the disposition of the mind and morals of the youth under his charge; and that he will consider it his duty, as the ages and capacities of the scholars will admit, not only to instruct and establish them in the truth of Christianity, but also, early and diligently to inculcate upon them the great and important Scripture doctrines of the existence of one true God, the Father, Son and Holy Ghost; of the fall of man, the depravity of human nature, the necessity of an atonement, and of our being renewed in the spirit of our minds; the doctrines of repentance towards God and of faith toward our Lord Jesus Christ; of sanctification by the Holy Spirit, and of justification by the grace of God through the redemption that is in Jesus Christ; together with the other important doctrines and duties of our Holy Christian Religion.

The last article is given in full, to show the spirit which actuated the founders of the Academy. The Puritan principles of the first settlers had not died out. Accordingly, religious instruction was actually given in the school for many years, and revivals were not infrequent. Even now, the requirements above-named remain a part of the constitution, though, in practice, they have long been a dead letter.

The Academy corporation being now secured against extinction, a permanent fund also seemed a necessity. Accordingly, "An address to the Public," signed by the trustees was sent out, setting forth the advantages, and urging the needs of the institution, more especially for "improvement in the system of female education," that having been uppermost in Mr. Webster's thought at the outset. Mr. Webster was appointed agent of the board, to receive donations. Two years afterward Rev. Ephraim Abbott, of Greenland, was chosen an

additional agent, for the same purpose ; and at the same meeting Mr. Webster reported the gift of three hundred acres of land in the town of Peeling (afterwards sold, and the proceeds invested), and about eight hundred dollars in cash and notes. The next year Mr. Abbott reported gifts amounting to a little more than two hundred dollars. And thus, little by little, the fund grew.

Mr. George Brackett, of Greenland, made a considerable donation, with the condition, that his grandchildren, four or five in number were to receive tuition and board, free of charge. Subsequently, Mr. Brackett determined to give to the Academy, through Mr. Abbott, its agent, a sum so large as to place it on an independent foundation ; but Mr. Abbott had conflicting interests at heart, even the establishment of a similar institution in Greenland ; and to his persuasions Mr. Brackett yielded. The money was therefore diverted into the new channel. The trustees of Hampton Academy, believing that undue influence was brought to bear upon the testator, worn as he was with age and feebleness, commenced a suit for recovery in 1826, and expensive and fruitless litigation followed.

Meanwhile, the other agent, Mr. Webster, was winning the gratitude of his colleagues, by his zeal and success in obtaining funds, the aggregate of which, though never large, was sufficient to pay necessary expenses.

From the beginning, the Hampton institution took a good standing among schools. Phillips Exeter Academy, for boys, and Atkinson Academy, preceded it in time of incorporation, but did not interfere with its prosperity. The first preceptor, Mr. Andrew Mack, in a letter, dated Gilmanton, August 30, 1872, when he was eighty-six years old, wrote the story of the commencement of operations, in these words :

“In the month of September, 1811, I set out from Londonderry, designing to go to Newburyport, to find a situation to teach. I was led by that Unseen Hand which shapes the history of our lives, to Hampton. On the evening of the day of my arrival there, the trustees had a meeting. Their Academy building was just completed, and the trustees were in a divided condition and jealous of each other. There had been previous meetings and nothing done. The board consisted of eight members, four being Orthodox, and four, Unitarians.

I had taught two years at Gilmanton Academy and one year at Dartmouth College. The trustees agreed to lay aside their prejudices, and commence operations in the Academy. I made my contract with them, for three terms. At this distant day, I can pronounce the whole a success. Upon leaving, the trustees gave me a handsome testimonial.

I herewith send you the names of the students, while I was principal of the Academy.

Polly Batchelder.
 John Blake.
 Abigail Brown.
 David Brown.
 Moses Brown.
 Nathan Brown.
 Simon Brown.
 Thomas Brown.
 Arlond Carroll.
 Mary Carroll.
 Sally Carroll.
 Stephen Chase.
 Oliver Cilley.
 Edwin A. Clark.
 Aaron Coffin.
 Moses Coffin.
 Hannah Cram.
 Betsey Dearborn.
 Jonathan Dearborn.
 Joseph R. Dearborn.
 Mary Dodge.
 Richard Dodge.
 Sally Dodge.
 Eben T. Drake.
 Samuel Drake.
 Sarah Emery.
 Abigail Fifield.
 John Fogg.
 Jonathan Garland.
 Henry George.
 Harriet Goodhue.
 Sally Goodhue.
 Abigail Green.
 Stephen Harberger.
 Obed S. Hobbs.
 Eben James.
 Hannah James.
 Ira James.
 John Johnson.
 Oliver Lamprey.
 Eben Lane.
 Reuben Lane.
 Clarissa Leavitt.
 Lydia Leavitt.
 Mary Leavitt.
 Nancy Leavitt.

Shubael Leavitt.
 Susan Leavitt.
 Clarissa Marston.
 David Marston.
 Fanny Marston.
 Jonathan Marston.
 Jonathan Marston 2d.
 Josiah Marston.
 Moses L. Marston.
 Sabrina Marston.
 Samuel Marston.
 Jacob Moulton.
 Nathan Moulton.
 Abigail Page.
 Josiah Page.
 Hannah Perkins.
 John Perkins.
 John Perkins.
 Jonathan Philbrick.
 Sewall Pike.
 Simon Roby.
 Sally Sanborn.
 Thayer S. Sanborn.
 Eben Shillaber.
 Martha Thayer.
 Mary Ann Thayer.
 Hill Tibbetts.
 Christopher S. Toppan.
 Elizabeth Toppan.
 Mary C. Toppan.
 Eben S. Towle.
 John Towle.
 Jonathan Towle.
 Nancy Towle.
 Phillip Towle.
 Sally Towle.
 Sally B. Towle.
 Abigail Ward.
 Deborah Ward.
 Joseph Ward.
 Nancy Ward.
 Sally Ward.
 Eliphalet K. Webster.
 Josiah Webster.
 Susan Webster."

As the years went by, many young men, afterwards of high repu-

tation in professional and political life, fitted for college here:—three of Mr. Webster's sons,¹ Amos Morrill, Judge of the U. S. District Court in Texas; Daniel Clark, who held a like office in New Hampshire twenty-five years, was a founder of the Republican party and U. S. senator; Moses Norris, member of Congress, as representative and senator; James F. Joy, widely known as a railroad king; James W. Grimes, for three years governor of Iowa, and afterwards, U. S. senator; Amos Tuck, lawyer and representative to Congress; and many more. The renowned Rufus Choate completed his preparatory course here in 1815.

The early preceptors were, for the most part, men eminently qualified for their profession—men of learning and culture and piety, commanding the respect and obedience, and often the warm affection of their pupils. Equally fortunate was the young ladies' department, established after the enlargement of the building in 1821; and which, except at devotions, at the opening and close of each day, was entirely distinct, under the charge of a preceptress.

Of all the teachers, Mr. Paine W. Chase was the only one who died in office; and his death was singularly sudden. He had taught, as usual, on Saturday forenoon, and had, with Miss Vose, the preceptress, spent the evening at Mr. Webster's. On returning to his boarding-place, he conducted family worship and retired to his room, apparently in health; but a sound of falling, a few minutes later, caused the landlady to hasten to his room, where he was just expiring. He died deeply lamented by trustees, patrons, pupils and the entire community.²

Among the names of preceptors, that of Roswell Harris, A.M., stands out prominently. He taught with great acceptance for about five years; and when he left for Brattleboro, Vt., the trustees passed a vote of appreciation and thanks. Not long after, efforts were made to induce him to return, but without avail. Mr. Harris married his preceptress, Miss Matilda Leavitt.³

In 1837 Mr. Amos Tuck, then principal, and also a trustee of the Academy, proposed the purchase of a philosophical and chemical apparatus, generously offering to relinquish all claim upon the income of the funds, and depend on tuition alone for his salary, "until said funds shall have accumulated sufficiently to pay all existing debts, and the amount of the debt that shall have been incurred, for purchase of said apparatus." The trustees agreed to this proposal, and purchased apparatus, at a cost of three hundred dollars, the next spring. But now, Mr. Tuck, who had been reading law for some time, had the

¹ See Genealogies—Webster (6); (9) to (11).

² See Genealogies—Chase (10).

³ See Genealogies—Leavitt (16).



HAMPTON ACADEMY.

topher S. Toppan, deceased, of Portsmouth; the income to be applied to the tuition of three boys and three girls, to be appointed by the selectmen from among the families of the town; these six pupils to continue as beneficiaries for three years, and then others six chosen, and so on in perpetuity. Should any vacancies occur at any time, they were to be filled by the principal in charge.

Miss Abigail Leavitt, of Hampton, died in 1891, leaving by will, after various bequests, the residue of her property to the Academy and high-school, as a permanent fund, the interest of which shall be used for educational purposes. The bequest will amount to eight thousand dollars or more.¹

LITERARY SOCIETIES.

In 1827 the Academy began to sustain two literary societies. No records of either can now be found, records and library having been burned in the old building. The nature and aims of the later and better remembered, the OLIVE BRANCH SOCIETY, are set forth in the Act of Incorporation, a few years later, copied into the town records, and in substance as follows:

"Whereas, there has for four or five years past existed at Hampton Academy, an association of several individuals, students of said Academy, for the purpose of promoting their mutual improvement in writing and extemporaneous speaking; and whereas, said association has collected a Library of several hundred volumes of valuable books, to which additions are frequently made:" to secure the general objects of the association, and more particularly to facilitate the management of the library, Daniel F. Merrill, Samuel Burnham, Thomas M. Smith and associates, have formed themselves into a body corporate, to be known as the "Olive Branch G. C. L. of Hampton Academy," taking the privileges and duties of a corporate body, agreeing to submit to the regulations of the society; and have recorded their agreement in the books of the society and on the town records, and posted them in two public places.

(Signed) C. S. Magoun, Rec. Sec'y.

Hampton Academy,
June 18, 1882.

Mr. Elijah Plumb, a theological student, boarding with Mr. Webster, and employed as Mr. Harris' assistant for some time, and still remembered as a good man and teacher, delivered an address before the Olive Branch Society, which was published, copies of which are yet preserved.

The CICKRONIAN SOCIETY is to-day only known perhaps, through the diary of one of its members,² which shows it to have been a debating

¹See Genealogies—Leavitt (23).

²The author of this work.—ED.

society, holding weekly meetings, and having to some extent, the same membership with the Olive Branch, flourishing at the same time; which, however, it preceded in organization, by three years.

PROPOSED CHANGES.

Several propositions have been made, at different times, for the removal of the Academy to a more central location, and its conversion into a high-school. In the spring of 1871 overtures were made by the town to this end, to which the trustees responded favorably. At a special town meeting, June 1, 1872, it was voted to establish a high-school; and a committee, consisting of Randolph A. De Lancey, Joseph Dow, F. H. Lyford, David S. Brown and Charles M. Lamprey was chosen, to confer with the trustees of the Academy, in regard to the removal and use of the Academy building, for high-school purposes. On the 14th of June, the trustees held a meeting, and passed the following votes:

"That the executive committee of the board be authorized to cooperate with the town committee in removing the Academy building, purchasing a lot, fitting up, etc., without expense to the trustees:

That the town committee shall make selection of teachers, in the confirmation of whom, the trustees shall have a negative:

That the town committee shall decide the qualifications of pupils entering the school, and shall have a joint interest in prescribing a course of study, and in the general management of the school."

An enabling act was immediately procured from the Legislature, approved July 3, 1872, by the provisions of which, the town was authorized to contract with the trustees, on such terms as might be agreed upon, for uniting a town high-school with the Academy. A school-house lot was purchased, and preparations were hastened for moving the building, when the whole plan was frustrated, through the opposition of certain individuals of influence; and the operations of the school settled back upon the old basis, the land being conveyed again to the former owner.

Still, the question of removal was agitated from time to time, and at last was decided by the application of the Rockingham Lodge of Odd Fellows, for the permanent use of the hall, for which they were willing to pay sixty dollars per annum, provided the building were suitably located.

On the 1st of March, 1881, Dr. William T. Merrill, George W. Lane and Christopher G. Toppan were chosen by the trustees a committee to buy land, move the house and fit it up. Mr. Toppan donated an acre of land centrally situated, in a large field between the two main

roads to the beach ; and on the 22nd of January, 1883, all preparations having been completed, the building was moved by eighty yoke of oxen and several pairs of horses, attached in four strings to heavy cables, obtained from the Portsmouth navy yard. The first start moved the building a few feet only. In seventeen minutes from the second start, it stood proudly on the new site, nearly half a mile distant, amid the ringing of bells and the vociferous cheers of the populace.

During the spring and summer extensive repairs were made, and a road was laid out through the Toppan field. The Odd Fellows' hall was duly furnished, dedicated and occupied ; and the school went into operation in September, 1883, after having been closed for more than three years.

HAMPTON ACADEMY AND HIGH-SCHOOL.

The enabling act of 1872 was never repealed, though, as we have seen, the plan of union was frustrated for the time. The subject, however, did not pass wholly from the minds of its advocates, and after the removal of the Academy building, it began to be agitated anew. Opposition to the union had now died out, and September 14, 1885 became a memorable date in the recent history of education in the town, for the opening of HAMPTON ACADEMY AND HIGH-SCHOOL, under the care of Mr. Jack Sanborn, of Hampton Falls, as principal. A year later Miss Maria Perkins, of this town, was secured as assistant. With these experienced and successful teachers at the head, and the pervasive and persuasive spirit of "the Doctor" everywhere present, prosperity was assured. The first class was graduated in June, 1887.

In 1889 a department of vocal culture was added to the curriculum of the school, to the manifest benefit of the students. The first teacher, Miss Morlena M. Dearborn, of Boston, resigned at the end of one year, to accept a position in the New Hampshire Conference Seminary and Female College, at Tilton ; and in 1891, she received the appointment of teacher of Elocution, in the New England Conservatory of Music, Boston. The Hampton school, thus losing one good teacher, was fortunate in immediately securing another, in Mrs. Sarah Neal Harris, now resident here, but till recently, of Concord, who still continues at the head of this department.

FIRST GRADUATING CLASS OF HAMPTON ACADEMY AND HIGH-SCHOOL.

Five years have now passed over the heads of the first graduates, all of whom will own that the intellectual and moral discipline of the high-school course has largely moulded their lives.





CLASS OF 1887.—AFTER FIVE YEARS.

Immediately on graduating, A. T. Leavitt and Philbrick entered mercantile houses in which they still remain. Mr. Leavitt is to-day a salesman with Silas Peirce and Co, wholesale grocers, of Boston, having his home in Wollaston Heights and making a steady advance in his chosen business. Mr. Philbrick went to Lawrence, Mass., and entered the employ of the Beach Soap Company. He now has an interest in the business, does much of the buying, takes a general oversight of the books and personal charge of the correspondence of the firm.

Godfrey went to Minnesota soon after graduating. He studied law at the University of Minnesota, was graduated in due course, took his examinations for the bar and waited for his twenty-first birthday to be formally admitted. Shortly after, he formed a partnership with Hon. Arthur G. Otis, a prominent lawyer of St. Paul. Mr. Godfrey's marriage and wedding trip home to Hampton followed closely upon his admission to the bar.

Four of the class, Cole, Garland, Lane and F. E. Leavitt, entered the New Hampshire State College of Agriculture and the Mechanic Arts, in the autumn of 1887. After one year in college at Hanover and one in the pursuit of mercantile studies in the Commercial College at New Hampton, where he graduated, Lane spent a few months in his father's store at home, and then went to Thompson, Minn., into the employ of a patent brick manufacturing company, of which Mr. Eugene L. Emery¹ was the head. After Mr. Emery's death, that business passed into other hands. Mr. Lane is now secretary and treasurer of the St. Louis River Brown-Stone Co., a large quarrying company, whose office is in Duluth, where he has his home. Mr. Garland remained in college till near the close of the second year, and afterward learned the carriage-maker's trade in Amesbury, Mass. He then studied three months in the Technical School for Carriage Draftsmen and Mechanics, under the auspices of the Carriage-Builders' National Association, in New York city; returned to Amesbury for awhile, to perfect himself in practice; married his classmate, Miss Lamprey, who had remained in the sweet ministries of home since graduating; and is now established in business in his native town. Mr. F. E. Leavitt spent two years in college, then went into a store in Boston, and in 1891 took a business trip to California. In April of the present year, he married Miss Gillelan, of the class of '90 (Academy and high-school), and returned to California, settling as a retail grocer, in Moreno, San Bernardino county. The other college student, Mr. Cole, went through the four years' course, graduating in

¹ See Genealogies—Brown (48).

1891. Shortly after, he entered into partnership with Mr. J. A. Lane, whose clerk he had been during several summer vacations.¹

Misses Hobbs, Weare and Grace R. Williams became teachers—the last of whom has taught three years since graduating and given much time to vocal music; while her sister, Miss Ida P. Williams is devoted to the piano, over the keys of which her fingers have learned to sweep with skillful and loving touch. After teaching one term, Miss Weare returned to household duties, finding time also to study the French language, under a private teacher. Miss Hobbs has taught four years out of the five—one term in Kingston and the rest in Hampton, where she is still engaged.

Mr. Nudd continued to study under the high-school instructors for a time, then took a year's course in Comer's Commercial College, Boston and returned to his home at Boar's Head, in which he is now settled permanently, having married this present summer.² Miss Nudd also, as the only daughter of her father's house, has remained at home, helping in the management of the Eagle House at Boar's Head.

Of other relations in life of the class of 1887, we may say briefly, not one has disappointed the hopes of the faculty and friends of the school. A majority are enrolled as church members; all have entered upon citizenship with untarnished names and fair prospects.

The following lists of trustees and teachers of the school have been carefully compiled from such meager data as could be obtained, no register having been kept; and in some cases, only approximate correctness is claimed.

TRUSTEES OF HAMPTON ACADEMY.

NAME.	RESIDENCE.	TIME OF OFFICE.
*Rev. Jonathan French, D.D.	North Hampton.	1811-1856.
Rev. Jacob Abbott.	Hampton Falls.	1811-1820.
*James Leavitt, Esq.	Hampton.	1811-1813, 1820-1837.
Edmund Toppan, Esq.	"	1811.
Dr. John Fogg.	North Hampton.	1811-1813.
*Rev. Josiah Webster.	Hampton.	1811-1819, 1831-1837.
Richard Pike.	Newburyport.	1811-1813.
Capt. Thomas Ward.	Hampton.	1811-1813.
Hon. Christopher Toppan.	"	1812-1819.
Capt. Samuel James.	"	1812-1819.

¹ Chap. XXXII, Lane's store.

² See Genealogies—Nudd (18).

* The first permanent board.

TRUSTEES OF HAMPTON ACADEMY.

NAME.	RESIDENCE.	TIME OF OFFICE.
*Capt. Edmund James.	Hampton.	1812-1834.
David Garland.	"	1812-1819.
Don. John Weeks.	Greenland.	1820.
*Maj. John Lovering.	Hampton.	1820-1828.
*Dr. Ebenezer Lawrence.	"	1820-1822.
*Josiah Page.	"	1821-1831.
*Moody Stockman.	"	1821-1822.
*Rev. Ephraim Abbott.	Greenland.	1821-1826.
*Col. George Weeks.	"	1821-1827.
*Rev. Luther F. Dimmick, D.D.	Newburyport.	1821-1820.
*Judge Timothy Farrar.	Portsmouth.	1821-1822, 1823-1851.
*Francis Vose, <i>ex officio</i> .	Hampton.	1821-1822.
Rev. Charles Burroughs, D.D.	Portsmouth.	1821-1822.
Rev. Jacob Cummings.	Hampton and Strat- ham.	1822-1826.
Nathan Crosby, Esq.	Amesbury.	1822-1823.
Den. John Wingate.	Stratham.	1822; died before 1823.
Dr. Archelaus F. Putnam.	Portsmouth.	1822-1827.
Rev. Bezaleel Smith.	Rye.	1822-1840.
Hon. Amos Tuck.	Hampton and Exeter.	1822-1870.
Thomas Ward.	Hampton.	1822-1821.
Rev. Sereno T. Abbott.	Hampton Falls.	1827-1855.
Simson B. Shaw.	Hampton.	1827-1871.
Rev. Erasmus D. Eldridge.	"	1828-1851.
Col. Josiah Dow,	"	1828-1822.
Matthew Merriam, Esq.	Seabrook and New- buryport.	1822-1825.
Rev. Solomon P. Fay.	Hampton.	1822-1854.
Timothy O. Norris, A.M.	"	1851-1854.
John F. French.	North Hampton.	1851-1860.
Rev. John Colby.	Hampton.	1855-1868.
Rev. Samuel J. Spalding, D.D.	Newburyport.	1855-1822.
John Dearborn.	Hampton.	1860-1821.
Hon. Christopher S. Toppan.	Portsmouth.	1860-1822.
Joseph Johnson.	Hampton.	1861.
Dr. William T. Merrill.	"	1861.
Dr. Charles H. Sanborn.	Hampton Falls.	1861-1822.

* The first permanent board.

TRUSTEES OF HAMPTON ACADEMY.

NAME.	RESIDENCE.	TIME OF OFFICE.
Rev. John O. Barrows.	North Hampton.	1864-1866.
Rev. John W. Dodge.	Hampton.	1865-1866.
George W. Lane.	"	1870-1891.
Rev. James McLean.	"	1870-1872.
Rev. Thomas V. Haines.	North Hampton.	1873.
Christopher G. Toppan.	Hampton.	1879.
John H. Fogg.	"	1881.
John W. F. Hobbs.	North Hampton.	1883-1890.
Rev. Walcott Fay.	Hampton (now of Westboro, Mass.).	1886.
Joseph O. Hobbs.	North Hampton.	1887.
Jacob T. Brown.	Hampton.	1891.
Horace M. Lane.	"	1891.
Jack Sanborn.	Hampton Falls.	1891.


Rev. Samuel J. Spalding, D.D., was elected president of the board of trustees, March 25, 1868, succeeding Rev. Dr. Burroughs in that office and holding the position till his death, April 10, 1892. No member of the board has taken greater interest in the academy than has Dr. Spalding—on no one have the others leaned more heavily. Since the death of Mr. Tuck, long the judicious treasurer, Dr. Spalding has looked well to the financial interests of the institution. In attendance on the board meetings and school examinations, he has been constant, never omitting to send a letter of regret if necessarily absent. Failing health induced him to resign in 1891. Instead of accepting his resignation, the board voted him president for life.

At the same time when Dr. Spalding became president, Dr. William T. Merrill was elected secretary, in place of Rev. John W. Dodge, who left Hampton that year for another pastorate. At the annual meeting of the trustees in 1892, Dr. Merrill, who still continued secretary, was chosen president, and the principal, Mr. Jack Sanborn, secretary of the board.



WILLIAM T. MERRILL, M. D.

Portrait contributed, as a testimonial of respect, by the Schools and the Knights
of Temperance.



INDUSTRIAL.

CHAPTER XXIX.

HAMPTON BEACH AND VICINITY—OWNERSHIP AND USES.

A ROAD or way was located along the sea-shore, from Great Boar's Head to the Piscataqua settlement (Portsmouth), soon after the first settlement of the town; for it is frequently mentioned in the description of lots or tracts of land, as entered in the town records, in 1644. Such was the nature or kind of land on which a considerable portion was laid out, that the travel on it was not much impeded by deep ruts, and not a large amount of labor or material was required, to keep it in a passable condition. Some portions of the road probably required repairs, from time to time. The part between the fish-houses at the North Beach, and the causeway, over the Plantation, so called, has never had very much money or labor expended on it, however, and is but little used at the present day.

The first dwelling house at the sea-side, in Hampton, was at the North Beach, built on a knoll called Nut Island; and covered part of the ground on which stands the Leavitt boarding-house. It was a one-story house, built about the year 1800, by John Elkins, a native of the town, born at Bride Hill, in 1777. He married Molly Brown, and lived a year or two in his house at the beach, but in 1802 he sold the premises to Moses Leavitt, a tailor, who had been living in the central part of the town, working at his trade. Mr. Leavitt was then about twenty-eight years old. He had married, several years before, Sarah, daughter of Amos Towle. Their fifth child was born soon after their removal to the beach. Mr. Leavitt and his wife being industrious, prudent and thrifty, he was enabled to buy real estate with their earnings, as he had opportunity. Among other purchases, he bought the old Tuck mill, with all its privileges and appurtenances; and in place of it, in 1815 he built a grist-mill, with modern improvements, which has only lately fallen into disuse.

Mr. and Mrs. Leavitt kept a house of entertainment, intended chiefly for the accommodation of fishermen and of fishmongers, who, in the winter season, were accustomed to come down from their homes in Vermont, with large and powerful horse-teams, to be loaded with

fish, which they took back in a frozen state, and sold principally in the Canada markets. Out of this beginning, as the tide of summer travel set towards Hampton, grew the famous boarding-house of Amos T. Leavitt, son of the former owner, and later, of his sons, Jacob B. and Moses, the former of whom is the present landlord.

A little farther removed from the ocean, the boarding-house of Josiah C. Palmer has long been a popular resort; while, on the upper road is that of Joseph J. Mace, of later date.

The road from the causeway to Great Boar's Head had been used for a long series of years, and had occasionally received some repairs; but no well-constructed road-bed appears to have been made before 1821, or the following year. People on foot or on horseback, and ox teams (unless heavily loaded), might pass over the road without much difficulty. There were, indeed, ruts; but beach sand and the muck or loam from the salt marsh adjoining, mixed together by the action of the tide, spread over the surface a covering very serviceable in preserving the road. It was, however, not in good condition for carriages, such as were beginning to be driven over it, and in one of the above-mentioned years, the town put the road in a more creditable condition.

The first house on that part of the beach lying southerly of the causeway, was built about the year 1806, by Daniel Lamprey, at that time more than sixty years old. The place of his birth, and his residence hitherto, was more than two miles up town from the location of his house at the beach. He was a large landholder, having good farming land on his homestead and in other parts of the town, besides his tracts near the beach. Few farmers in the town had greater facilities for living comfortably on their farms and every year adding to the value of their estates. Mr. Lamprey had been married about thirty-five years; and his family then consisted of himself and wife and his two sons, with their wives. His house at the beach was located on nearly the site of the Eagle House, now owned and occupied by Lewis P. Nudd. The structure was a one-story building, about thirty-six by twenty-eight feet on the ground. Mr. Lamprey was often the only occupant, his wife being with him occasionally, but generally at the up-town residence, with her sons. About 1808 Thomas Elkins and wife, born in Hampton and lately married, became Mr. Lamprey's tenants, but removed from the town a year or two later, when his son, Jeremiah, with his family, took their place, remaining with him till his death, May 10, 1812, and keeping a public house in a small way, for years afterwards.

HAMPTON BEACH HOTEL.

The first house built for a hotel on Boar's Head, or in fact on any

part of the beach, south of the causeway, was erected by Abraham Marston, Jr., and Amos Towle, 8d, in 1819, and was opened to the public in the year following. It was a hip-roofed building, two stories in height, and was on nearly the same site as the HAMPTON BEACH HOTEL of the present time, being very near the ocean. In 1822 and 1823 the tavern was kept by Richard Greenleaf, Esq. In 1827 Thomas Leavitt, Esq., came into possession of the premises by purchase, and afterwards enlarged the house at the front, carrying this addition one story higher than the original structure. On the 21st of July, 1854, the hotel took fire and was entirely consumed, together with a considerable part of the contents, and was not rebuilt before the death of Mr. Leavitt. Years later, Thomas and Joseph L. Leavitt, sons of the former landlord, erected a new and more commodious hotel in its place, which was opened to the public in 1872, and has ever since been a popular house.

BOAR'S HEAD HOTEL.—THE ROCKINGHAM.

About the year 1824 or 1825, a company was formed, consisting of David Nudd and others, for building a hotel on the summit of Boar's Head, where the ground is about sixty feet above the level of the ocean at its base. On the 29d of July, 1826, the frame was raised. Elder Ebenezer Leavitt, the contractor, finished his work in the following year, and the hotel was opened soon after. Mr. Nudd stood ready to purchase the shares of any of the company, who were willing to sell, and at length became sole proprietor. To meet the numerous applications for board, it was found necessary to increase the number of rooms and to make other improvements. Accordingly, about the year 1841 a large addition to the hotel, and other alterations were made. Mr. Nudd never took charge as the landlord, but he continued to own the premises till the close of his life. He built also another large hotel, the GRANITE HOUSE (recently renamed THE ROCKINGHAM), at the foot of the promontory. Both houses were afterwards sold by Mr. Nudd's heirs, to Col. Stebbins H. Dumas, the present proprietor, who has still further enlarged and improved, to meet the wants of his numerous patrons.

THE EAGLE HOUSE.

In the year 1830 the fame of our sea-shore having spread and patronage increased, Mr. David Nudd built a third hotel, at the foot of Boar's Head, on the west, where it slopes to the highway, named it THE EAGLE HOUSE, and installed his son, Willard E. Nudd, landlord. After sixteen years, it became necessary to enlarge the house, and thus it continued through the lifetime of the landlord, who, mean-

while, had become the proprietor. On his death, his eldest son, Lewis P. Nudd, the present landlord, succeeded to the property. In 1885 Mr. Nudd added a mansard roof and made interior alterations. This house has been maintained on strictly temperance principles since 1860.

South of Boar's Head, the shore, for a considerable distance, is covered with large rocks, submerged at high water; and, beyond this, there stretches a long reach of hard, sandy beach, furnishing an exceptionally fine drive-course and promenade. Back of the rocky portion, and for some distance farther, the land is arable; while high sand-dunes form a background to the smooth beach, separating it from the salt marshes that border the river and extend far up into the town. All this territory was for many years untenanted; but in 1826, the same year that David Nudd and company built the Boar's Head Hotel, Thomas Nudd, his nephew, perhaps foreseeing that this might become a favorite summer resort, built a one-story house at the point where the sandy beach begins,—a house which has since been greatly enlarged and made profitable, in the way of renting rooms and furnishing dinners, by his son, Oliver, who has added stabling to the other business. From this nucleus, a village has sprung up, composed of permanent residences, hotels and summer cottages.

THE OCEAN HOUSE.

Chief among the hotels, and long the only one on the south shore, was the OCEAN HOUSE, built in 1844, by Stacy Nudd, eldest son of David, and enlarged, from time to time, as patronage increased, till it became the largest house on the beach. Subsequently it was owned and carried on by Phillip Yeaton & Co., who bought it in 1866; but on the seventh of May, 1885, it was completely destroyed by fire, and has never been rebuilt.

THE SEA-VIEW HOUSE

is now the only hotel south of Boar's Head, though boarding-houses and furnished apartments are numerous. The SEA VIEW HOUSE, John G. Cutler, proprietor, was built in 1885, on the site of a smaller dwelling, which, with the John Perkins homestead, one of the pioneer houses on that part of the beach, the Atlantic House and thirteen other buildings, was burned to the ground in the great conflagration which destroyed the Ocean House.

In the afternoon of April 9, 1881, six or eight small houses on the lower beach were consumed by fire.

SEA-WEED LAWS.

At the annual town meeting, in 1757, were passed the first votes on record, regulating the getting of sea-weed and rock-weed on the sea-

shore. Every person was prohibited from removing any sea-weed from where the sea leaves it, by carting or sledging, or by pitching it up in heaps, between daylight in the evening and daylight in the morning, under penalty of forty shillings for each offense. And if any person should pitch, or in any way heap up any sea-weed or rock-weed, "any where below the top of the beach," that is, below high-water mark, such heaps were to "be free for any person to put to his own use." These votes were often renewed, or similar ones passed, though sometimes with a different penalty for their violation, till at length, after the formation of the State government, a law, with similar provisions was, at the request of this town, passed by the General Court, which, with slight amendments, is still retained on the statute book.

THE PUBLIC LANDS.

Respecting the lands lying between tracts belonging to private individuals and low-water mark, regarded as public lands, several controversies have arisen. A few of the abutters have even contended that their own claims stretched to the water, and have fruitlessly striven to restrain others from carrying away sea-weed from such portions of the beach. All claims of this kind, however, were forever silenced when, in 1851, the Superior Court of New Hampshire sustained the ruling of the lower court, and closed the lawsuit of Jesse Knowles against Josiah Dow, for such alleged trespass.¹

MEASURES TO PROTECT THE BEACH.

A more alarming dispute has since arisen, on the question of the real ownership of these public lands. From the beginning the town has exercised control, as is shown by numerous votes entered on the

¹ Jesse Knowles brought action against Josiah Dow and several other citizens of Hampton, in a plea of trespass. The action was returnable before a Justice of the Peace. Several pleas were put in by the defendants, all raising the question of title; and in consequence, the controversy was settled on the Dow case. It was sent up to the Superior Court, for jury trial. The second plea was that the close, in which said supposed several trespasses were done, was not the close of the plaintiff. The trial was at Portsmouth, October term, 1848; verdict for the defendant, Dow. Plaintiff moved to set aside the verdict, for several specified reasons. This was done and a new trial granted. Opinion by Justice Wilcox, July term, 1849 [N. H. Report, xx: 135].

In the second case, *Knowles vs. Dow*, in a plea of trespass, for breaking and entering the plaintiff's close and carrying away sea-weed and flats-weed, the defendant filed six pleas, the first four of which were ruled out by the court; and the case went to the jury under the fifth and sixth pleas, and a verdict was found for the defendant under both pleas. The fifth plea was: a certain ancient and laudable custom, used and approved by all the inhabitants of the town of Hampton—the privilege of hauling sea-weed and flats-weed upon the close and depositing the same, and afterwards taking and hauling away. The sixth plea, that the defendant did the acts complained of by leave and license of the plaintiff. Judgment on the verdict was rendered at the July term, 1851. Opinion by Chief Justice Gilchrist [N. H. Report, xxii: 387].

town records. Some of these have already been noticed, in treating of general affairs.

March 8, 1748, it was voted: "That Capt. Jonathan Marston and Benjamin Dow be a committee who are impowered to prosecute any person or persons who shall cutt down any pine or cedar tree or trees or saffron on y^e ox comon." The pines, cedars and savins on the Ox Common were on land lying between the road or cartway and the sea.

September 29, 1746. Liberty was given "to pertickeler men, to set up gates achrost the ways, to preserve the beach between the great and little hors head," and it was left "to the prudence of the Select men to say where the gates shall be."

July 7, 1755. "The town has allowed that there shall be a Gate set up at the west end of the Cassey or at the most convenient place from the 20th of November to the 20th of October next ensuing." It was voted, to authorize Capt. Ephraim Marston, S. Palmer Esq., Jeremiah Moulton, John Lamprey and Jonathan Marston, Jr. (chosen to have the care of the fence and gates to preserve the beach), to impound all cattle, horses and sheep found on the beach, between the river's mouth and North Hill line, from November 20th to October 20th following, and to collect a fine of thirty shillings for each offense, from any person, breaking any gate or throwing down any fence, erected to save the beach.

Gates were maintained for a long series of years, across the three sea roads, the keepers being appointed at the annual town meetings. One record, which sufficiently locates the gates, may serve as a sample. In 1822 Nathaniel Locke was chosen to have the care of the north gate; Moses Leavitt, the care of the gate near his house; and Reuben Lamprey, of the gate near his house. In 1838 and for a year or two after, no gates were kept at the town charge; and after 1841 there is no mention of the subject on the town records. There are men living to-day, who smile at mention of those gates; for memory carries them back to the times when, as boys, the passing of a carriage was the signal for a lively race of a mile or more, each eager to outstrip the rest and open the gate, for the small coin usually proffered.

March 15, 1768. Voted, "That no horse shall be suffered to go at large on the Beach at any season of the year, except it be from the middle of October to the middle of November." Similar votes were passed at other times.

March 16, 1779 and at other times, fines were imposed for cutting beach grass or peas on the beach.

In 1843 the selectmen were instructed to remove all obstructions

of every kind found on the public highway or common lands "at, near or around Boar's Head."

March 30, 1846, the town adopted the following preamble and resolution :

"Whereas, the inhabitants of Hampton, from the commencement of its settlement, reserved for their convenience and as we believe for the convenience of future generations a certain part of their territory, lying and bounded upon the sea-shore, as we believe, its whole length from one extremity to the other, without any individual reservation whatever, and also in other parts of said town, that they have ever exercised exclusive jurisdiction over the same, that they at all times and under all circumstances, have permitted its inhabitants to exercise and enjoy that privilege by using the same without any hindrance whatever, unless prevented by vote of said town, and further, they ever did and ever have acknowledged the same to be controlled by the town and to be used by the whole town, which is sufficiently evident by various acts and votes of the town and laws of the state in regard to the same; notwithstanding, a few individuals of a later date, have made encroachments upon the same, by enclosing and setting up personal claims &c. and by permitting such things to take place from time to time, in lapse of time, the whole territory, from one end to the other, will be claimed as individual property, and the public forever debarred therefrom :

"Therefore, Resolved, that we, the inhabitants, legal voters of said town, will no longer submit to such encroachments from individuals of said town, and that there be a Committee chosen, to look up such Records as relate to the same, and that said Committee examine all said public lands belonging to said town and lying as aforesaid, and that they be defined by metes and bounds and a record thereof made." Josiah Dow, Uri Lamprey and John Johnson were the committee chosen.

The right of the town to the guardianship indicated by the foregoing votes and resolution would probably never have been questioned, if the beach had not, in the course of years, become a watering-place of some note. Then, as eligible building sites were taken up, one after another, and the line of houses extended gradually almost to the sand-hills, it began to seem desirable to some, to stretch out still farther and save the expense of purchasing, by building on these public lands. The first of these houses was a rude structure, erected for a restaurant and store; the proprietors, worthy, law-abiding citizens of the town, little dreaming of the mischief that would ensue. No notice of this liberty being taken by the town authorities, others naturally followed

their example, till, in 1866, the town became uneasy, and began to inquire into its rights. Spasmodic and half-hearted measures prevailed, however, for the next dozen years; but in 1878 the town was fairly aroused to the consciousness that some sixty or seventy small houses, many of them mere shanties, had been thrown up along the sands. Three such buildings were also erected on the beach hill, north of Boar's Head, and the town became alarmed.

A special town meeting was held, October 18, 1878, when the following resolution was passed:

"Resolved, that the territory known as Hampton Beach was and should be reserved for public good; that the town has no right to sell or lease any portion of said beach or territory; but has full police control over the same; and, as guardian of said beach, should prevent all nuisances or violation of law."

It was resolved further, to commence a test suit, in order to have the question of the town rights settled by the Supreme Court.

January 4, 1879, voted: "That Uri Lamprey be appointed agent, to remove the house on the beach."

Again, on the 25th of the same month, a town meeting was held, when Gen. Gilman Marston, of Exeter, appeared by invitation, and set forth in stirring words the dangers of allowing such trespass. His eloquence fired alike the determined, the timorous and the indifferent; and the business was at once put into his hands.

Three actions of the town, respectively, against Edson Hill, Albert Daniels and Bushrod W. Hill, were commenced, in a Plea of Trespass, at the October term, 1879, of the Supreme Court, in the county of Rockingham; Marston, of Exeter, and Hatch, of Portsmouth, counsel for the town; Frink, of Greenland, and Eastman, of Manchester, counsel for the defendants. A summary of the long-continued case is as follows:

It was referred to Judge Lewis W. Clark, before whom a hearing was had at Portsmouth. His report was in favor of the town. On exceptions, the case was taken up to the full bench; but, before a decision was reached, the defendants agreed to let the town have judgment, each party to pay its costs, and the buildings to be removed before the next June. The town assented, and the case went off the docket in March, 1886.

Events proved this to have been a mistake on the part of the town, which should have insisted on a decision, to settle the question for all time. Some of the "squatters" on the lower beach moved their buildings off the public land; but some refused to do so, and the result was more lawsuits, commenced at the October term, 1886, which are still on the docket, going the same snail-like pace as before.

STORMS AND WRECKS.

Destructive storms on our sea-board have not been frequent. A few early ones have been briefly noticed in these pages. The most notable of modern times was general in New England, and has passed into history as "the September gale," of the twenty-third of that month, 1815. A few of our citizens, still living, remember it for its severity and the havoc made in the woods. The large tract of woodland, known as the "Twelve Shares," lying on both sides of the town line between Hampton and North Hampton, wooded largely with pine and hemlock, was left in a very bad condition, it being impossible to trace the boundary lines between the lots of the several owners. The matter, however, was amicably settled, the owners agreeing to submit the distribution to a committee, mutually agreed upon. The salt grass grown on the marshes had mostly been cut and stacked. The violence of the gale was such that the tide rose to an unwonted height, and many of the hay-stacks were lifted from the studdles and swept away. Salt spray was swept up into the town, where it beat so violently against the windows, that much glass was ground and stained indelibly.

A great storm occurred in 1852, when fish and bath houses were violently thrown about and considerable damage was done all along the beach; another, in 1861, when a long stretch of the railroad was washed away; another, in the autumn of 1869, when three schooners were cast upon the rocks near Boar's Head and greatly damaged, though they were afterwards floated off; and a disastrous one, in 1871, when the sea overreached its bounds almost the entire length of the New Hampshire coast, made a large breach at "the Logs," so called, filled the road with rocks and broken bath-houses, did great damage to the beach hill and to the railroad, and swept tons of hay from the marshes. This storm cost the town two hundred thirty-eight dollars.

During a storm in February, 1873, a British steamer, the "Sir Francis," was wrecked off Hampton beach. A large amount of tin-plate, bar iron and steel rollers, which formed part of the cargo, was sold by auction.

A gale occurred August 18, 1879, of unusual violence at that time of year. Three wet, gloomy days had passed, when, on the night of the third day, the storm broke in fury, shaking hotels and cottages, terrifying the guests, overturning the tents of the Oldtown Indians, who ply their trade of basket making here every summer, hurling a summer-house over the cliff, tearing several boats from their moorings and doing more or less damage through the town.

In this connection, may be noted a storm of a different character,—

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the famous ice storm of the winter of 1885-6, very widespread, and destructive to trees, particularly apple and elm. In Hampton, as elsewhere, ice thickly encrusted every possible lodgment, making a scene of great magnificence, when the sun at last appeared; but the stillness of morning, after the storm, was broken by the crashing of great boughs on every hand. In many places, travel on rail and carriage road was impeded, and cherished trees were shorn of their symmetry.

VESSELS, BUILT OR OWNED AT HAMPTON.

It is known that vessels were owned in Hampton within a few years after the settlement was begun. Some of them were probably for the fishing business, though whale-boats and wherries were more frequently used for the shore fisheries. The commercial high-road to Boston was on the sea. Vessels for this service were usually of small tonnage, requiring but two men each to manage them, receiving and discharging freight often, perhaps generally, on Brown's river, near the site of the Perkins mill, of later date. The larger vessels usually sailed from the place known as *The Landing*, reaching the ocean through the many windings of Taylor's river, and so down through the main river and over the bar. On the banks of Taylor's river, at a place still known as *The Ship Yard*, numerous vessels were built, some of them ships of many tons burthen. One of the bends in this river was called *The Mooring Turn*, where, as our records state, the vessels "do usually ride at anchor."

The names and ownership of a few of the ancient vessels have come down to us:

In 1682, James Philbrick became one-fourth owner of barque *Adventure*, bought of Thomas Cram.

1699, October 31,—Brigantine *Increase*, forty tons, *lately* built at Hampton Common Landing Place—owned by Thomas Dearborn, John Dearborn Sr., Abraham Drake Jr., Morris Hobbs Jr., Samuel Dow, Philemon Blake, Jonathan Elkins and Samuel Nudd. Said Nudd was, by the others, authorized to sell their part of it and make conveyance thereof. The vessel then lay at the Landing Place.

1705, November 13,—Sloop, *New Design*, sixteen tons, lying in Boston Harbor—sold to Peter Garland and Samuel Nudd, mariners, for £106. This sloop was run between Hampton and Boston, and is said to have arrived at the usual landing-place here on six successive Saturday nights, having performed the round trip each week, a remarkable feat for those slow days. A clearance paper of this vessel, dated at Hampton, June 23, 1707, states that she had "no guns," was

navigated with two men, Samuel Nudd, master, and that she "hath here loaden and taken on board pine boards and staves."

1714, September 15,—sloop, *May-Flower*, thirty-five tons, sold to Caleb Shaw and Samuel Nudd, mariners, for £130, by William Bailey, of Scituate, Mass.

1723, July 25,—Brigantine, *Friend's Adventure*, built at Hampton, by Joshua Wingate, Samuel Nudd, John Hobbs and Benjamin Hilliard; to the last three of whom, Wingate sold his one-fourth, at the above date, for £90. She was then riding at anchor in Hampton river; David Horney, Master.

Col. Christopher Toppan was a large ship owner. Some of his losses are noticed elsewhere;¹ but no papers to be found, show the extent of his shipping interests. Among later builders, John Johnson and David Nudd have been most conspicuous. The former generally commanded his own vessels for one voyage or more.

CAPT. JOHN JOHNSON'S VESSELS.

Schooner, *Clarissa*, owned jointly with his brother Elisha, bought for trafficking between Hampton and Boston, was run for several years, in place of the whale-boats used earlier. This was the only one of Mr. Johnson's vessels that he did not build.

Schooner, *William Tell*, built at Hampton Falls, for the coasting trade, took from Philadelphia the first cargo of coal ever brought into the Boston market. On her first trip, lightning struck both masts, which had to be replaced; but notwithstanding the bad omen, she had a prosperous career. She made fifty-two trips one year from Hampton to Boston and return, one each week. But she went down at last, and her "bones" lie to-day on the bottom of Hampton river.

Schooner, *Young Tell*, built in Mr. Johnson's yard, hauled down to the mill, and launched.

Schooner, *Virginian*, built at "The Old Dock."

Schooner, *Union*, built at "The Old Dock."

Brig, *Mary Jones*, built at the Turnpike, as were the four later vessels. Captain Johnson made a fruiting voyage in her to Malaga, with Samuel Fisk for first mate; went to Texas, also, for ship timber.

Schooner, *Harriet Neal*, of a little over a hundred thirty tons' burthen, made two fruiting voyages to the Mediterranean, and one trip or more to the West Indies. In 1849 she carried a hundred passengers to Chagres, on the Isthmus of Panama, *en route* for the California gold mines. Mr. John Perkins, one of the sailors, took the gold fever, left the vessel at Chagres, with no money but one Spanish ninepence

¹ pp. 213, 214; see also p. 200.

in his pocket and worked his way to the mines, to the surprise, and, as it proved, the financial betterment of his family.

Center-board schooner, *Mail*, a coaster, carrying the United States mail.

Schooner *Virginia*.

Schooner *Belle*, the last built.

MR. DAVID NUDD'S SCHOONERS.

The first two were built in his yard, and hauled to the Landing; the rest were built at the Landing, except the *Franklin*, which was built at Salisbury, Mass.

Industry, *Rapid*, *Tremont*, went to the bottom at Newport, R. I.; *Victory*, followed successively by two others of the same name; *Two Sisters*, *Enterprise*, *Atlas*, *Constitution*, *Good Intent*, *Franklin*.

VESSELS OWNED BY OTHER HAMPTON MEN.

Schooner, *Sarah*, built by Maj. John Lovering, near the tide mill.

Schooner, *Angola*, owned by Elisha Johnson.

Schooner, *Ruth*, built by Benjamin and James Perkins.

Schooner, *Cadet*, built by Oliver Nudd and Thomas Leavitt.

Schooner, *General Grant*, built by John A. Nudd, Nathaniel Johnson, Edwin J. Hobbs and Charles T. Lamprey.

Sloop, *Franklin*, owned by Oliver Nudd and Thomas Leavitt.

Schooner, *Jefferson*, owned by Dearborn and Benjamin Shaw, for fishing and freighting.

Schooner, *Eclipse*, owned by David and Ira Page.

Schooner, *Tyro*, owned by Edmund and Joseph W. Mason.

Schooner, *Castle Rock*, owned by George Lane and J. Warren Perkins.

Schooner, *Minnie Chase*, owned by Charles T. Lamprey and John C. Palmer, carried wood.

Schooner, *Volant*, owned by Adna B. Lane.

Smaller fishing vessels and pleasure yachts have been owned by Hampton men, for local use.

NUDD'S CANAL.

The distance from the Landing to the junction of Taylor's and Brown's rivers, towards the sea, following the tortuous course of the former, is about two and one half miles, while a straight cut between those two points is but little more than one half mile. About the year 1823, David Nudd organized a company, incorporated under the name of "The Proprietors of Hampton Canal," to make and maintain such a cut, he himself having a controlling interest. After the surface

had been removed by spading, a dredging machine, which is described as "capstan-like, ten feet long, with two sets of bars," was dragged up and down, and the earth thus loosened thrown out, till enough water was let in to insure the deepening of itself, by the action of the tide. The master-workman, named Hinckley, lived in the house now owned by the heirs of John Brown (Irish). The cost of the work is said to have been a *hogshead of rum*.

Nudd's canal, so called, which, at high water, is deep and wide enough to float to the Landing any vessel that comes into Hampton river, is invaluable, especially to the marsh-owners, for whose use gondolas have ever been kept, to bring the hay up to the Landing.

HAMPTON FISHERIES.

The first inhabitants of Hampton, unlike those who, at an earlier period, had settled on the banks of the Piscataqua, were *farmers* rather than fishermen; yet it should not be inferred from this fact, that the fishing interest was wholly neglected. We have not, indeed, any data for determining how early this business was commenced, nor to what extent it was prosecuted; but considering the facilities for carrying it on from the river and the beach, and the great value to the inhabitants, of the food that might thus be procured, towards furnishing them with the means of subsistence, especially before the land had been sufficiently cultivated to produce an abundant harvest, we cannot doubt that this employment received some attention almost as soon as the settlement began. It is not certain, however, that any of the early inhabitants were fishermen by trade. It is far more likely that then, as in later times, the same men that cultivated the soil and made that their principal business, sometimes also plied the oar and the line, not for amusement, but for a livelihood. Whether the fishing was at first carried on from the North Beach, as now, or by way of the river, is not certain. An act of the town, at an early date, seems to indicate the latter. This was a vote, passed January 17, 1656, appropriating Sargent's Island to the use of the fishermen, for the purpose of building stages and other necessities for curing fish. Connected with the grant was the condition that, if the island should be deserted by fishermen, it should revert to the town's disposal. Sargent's Island, now private property, was very favorably situated for the curing of fish, brought up the river in boats and landed near the spot where the stages were probably built. How long it was used for this purpose is unknown. The place was inhabited for many years by a branch of the Shaw family. Caleb Shaw, of the third generation, mariner, master of the sloop *Mayflower*, drowned in 1715,

may have lived here. Certainly, it was for about twenty years the home of his son, Ebenezer, whose business was coasting and fishing; and here, his ten children were born.

Since the coming in of the present century, the Hampton fisheries have been somewhat widely known. Capt. Randolph P. DeLancey, a practical fisherman and wholesale fish merchant, gives the following information:

After 1836, and perhaps earlier, the shore fishery was long carried on by an average of about forty men, who made it a business the year round, using, for the most part, wherries in winter and whale boats in summer and fall. The Hampton whale-boats have been honorably mentioned in the United States Government Reports, where we read: "They will beat up Boston Bay in a winter nor'wester, when a ship cannot." The whale boat is nineteen feet long on the keel, seven feet wide and three feet deep; sharp at both ends, built of half-inch white pine boards, nailed together on the edge, forming a "lap streak," on timbers of inch square oak, steamed and bent into place six inches apart, with a lining or ceiling of half-inch pine; making a very strong, yet flexible boat, carrying two "fore and aft" sails, each containing from fifteen to twenty-five yards of heaviest cotton drilling. In such a boat two, three, or even four men would start out, just before sunset, carrying a porgy-net, in which, after anchoring on the fishing ground, they soon caught all the bait needed for the night. Then the men by turns fished and slept—the hake beginning to bite soon after dark, and the large cod, of from thirty to sixty pounds' weight, about midnight, the best fishing being from that time till daybreak. About sunrise the boats went ashore, loaded with from one to two thousand pounds of hake, cod and haddock, and occasionally a halibut.

Wherries, as formerly built, were sixteen feet long, five feet wide and two feet deep, similar to the whale-boats in shape, and of the same build, but intended for rowing, though having a sail for use when the wind was fair. This winter boat was managed by two men, who aimed to reach the fishing ground as soon as it was light enough in the morning to see the landmarks, among which was a clump of tall, dead pines on Breakfast hill, in Rye, purchased for the purpose by the Hampton fishermen. They rarely risked frightening the fish by throwing out the anchor, but one man took the oars, to "hold up," that is, to keep the boat from drifting away from the fishing-ground, while the other managed the hand lines, turning from one to the other as fast as he could haul and take off the fish and rebait the hook. Both lines and fish would freeze as soon as taken out of the water. Sometimes the wind would come on to "blow off nor'west," so that

on the return they were forced to row and bail and pound off the all-encasing ice for hours, before reaching shore; then land their fare, wash out and house the boat and dress the fish, while, perchance, the Canada or Vermont six-horse teams stood waiting to be loaded. If no purchasers were at hand, the fish were split and salted in a pile running the length of the fish-house, on one side. One thousand, two or even three thousand pounds of fish were thus disposed of, before the tired, hungry, chilled men were ready for their long walk home, at the end of the day's winter cod-fishing.

But the manner of fishing has greatly changed; center-board wherries, depending more on sails than oars for motion are used; and the hand-lines have given place to trawls—long lines, with hooks placed six feet apart on the whole length. These are carried in tubs, holding a half mile of line each. The hooks are on two-foot snoods, and are baited with clams for cod and haddock, in winter, and with herring and porgies in summer, for all kinds of fish. Clams for bait are latterly obtained almost exclusively from Newburyport, the Hampton flats being much exhausted, and barely sufficient for home consumption. Each boat usually carries four trawls, which are set by tying one end to an anchor, with a buoy-line, throwing it over as the boat sails or is rowed along, and anchoring the last end like the first. When possible, they are set in the afternoon and hauled at daylight, the next morning; the catch being from nothing (in rare cases), up to three thousand pounds, an average being perhaps five hundred pounds.

The winter of 1880-'81 was the best in recent years, when the greatest total catch for any one day was thirty thousand pounds, and the three months' fishing amounted, in the aggregate, to eight thousand dollars.

But the fisheries have greatly declined. Pirate seiners drove off the porgies, by catching great numbers for oil; then the hake, that feed on them, disappeared; and, similarly, the haddock and other fish grew scarce, and the daily catch went down to one or two hundred pounds. In the summers of 1889 and 1890, the porgies came again in limited numbers, and during the latter year hake began to return.

The mackerel fishery has been injured by sheer wantonness. A vessel threw her seine a half mile from the fish-houses. Two hundred barrels of mackerel were taken on board, five barrels of numbers one and two saved, and all the rest thrown overboard—to frighten the fish and poison the ground. A hundred fifty other vessels were doing a like thing every day, for three months. The next summer the mackerel did not come. For the last two years seining has been unlawful till June first, and they have begun to return.

Lobster fishing has held its own better than the sea-fishery, but

even that is not as good as formerly, and the fishermen say emphatically that, unless all seining for mackerel and bait-fish, within three miles of land, is stopped, there will soon be no fish of any kind off our shores.

The eel fishery is carried on only in August, September and October, while the eels are passing from the sea to winter quarters in the ponds and heads of streams. A dam is made across a ditch or small creek in the marsh, near the upland, by driving boards or planks into the bed of the stream, with one or more openings, about a foot square, near the bottom, where the traps are set, with the entrance facing down stream. An eel-pot or trap is made of a barrel with one head, by boring it full of half-inch holes, to let the water and small eels have free passage, and fitting a tunnel of board or wicker-work into the open end, the small end of the tunnel being about an inch across, within the barrel. A door is cut on the side or head, for taking out the eels. The barrel is then weighted enough to sink it, and the trap set, by placing the tunnel close against the opening in the dam. It needs no bait, and is looked after each morning. A trap has been known to catch a half barrel of eels in one night—a peck is probably a fair average.

Fresh-water fishing, let us hope, is in the future. On the 1st of May, 1890, Messrs. R. P. De Lancey and H. M. Lane placed ten thousand trout fry in our brooks. They did so well, that, in April, 1891, Mr. De Lancey placed five thousand more. If protective laws are respected, a new delicacy will soon be added to our tables.

CANAL TO SALISBURY.

Under date, 1791, Dr. Belknap says: "Within this present year a canal has been cut through the marshes, which opens an inland navigation from Hampton, through Salisbury, into Merrimac river, for about eight miles. By this passage, loaded boats may be conducted with the utmost ease and safety."

This canal opens a passage from the Blackwater river, which leads to Walton's tide mill, in Seabrook, inside of Plum beach, to the Merrimac. At high water, it was formerly quite available for fishing boats, and forty years ago, was still much used. Winter fishermen, four to a whale-boat, were in the habit of going to Ipswich for bait. When the water outside was rough, they would enter Hampton river, row through the canal to the Merrimac, thence, inside of Plum island to Ipswich river, dig during two low tides, a good digger often securing ten bushels in a tide, fill the boat, from seventy to a hundred bushels, and return.

When the plank road to Salisbury beach was built, the canal was spanned by a small bridge. By degrees, it was abandoned, and is now so filled and overgrown with thatch, as to be available only for very small boats.

NUDD'S SALT WORKS.

In the year 1827 Mr. David Nudd engaged in a new enterprise. Some of his vessels had long been employed in fishing voyages to Labrador, the Grand Banks and other resorts, as well as in the mackerel and other fisheries off our own shores. When large fares were taken, a considerable outlay of cash was required, to buy the salt for curing the fish, especially when, as was sometimes the case, a heavy duty was imposed on salt imported. With plenty of salt in the ocean, right at hand, such an outlay seemed needless. Along the Massachusetts coast were several manufactories that had proved successful, and Mr. Nudd decided to try the experiment here. Accordingly, he employed an expert, to test the comparative saltiness of the water in the ocean at the seashore, and in the river at the Landing. This was done by boiling a like quantity of water from each place, under like circumstances, till it was entirely evaporated, then accurately weighing the salt obtained from each. The result, strange to say, was in favor of the Landing. There the works were built, therefore, covering two acres of ground, the water conveyed through a trench, and pumped by a windmill into the vats. The enterprise became successful, on an annual product of twelve hundred bushels, more or less. In 1840, however, the works were taken up, salt having become too cheap to manufacture longer at a profit.

CHAPTER XXX.

THE PUBLIC ROADS.

THE RING.

IN the early records of the town, we find but little in regard to roads, except the one from the town across the salt marsh to the Falls side, whence there appears to have been at an early day a continuous road to Salisbury. No doubt there were roads near which families dwelt, especially around the Meeting-house Green, where were laid out many of the house-lots of the early settlers, on which they built their houses and had their homes. Gradually, settlements were extended to a greater distance from this center; and their extension may have been so gradual, that for a considerable time, individuals kept the roads between their several homes in a passable condition without applying to the town for aid, so that no record was made of the work done. On the 9th of June, 1697, at the request of several of the inhabitants, the selectmen ordered that a highway ten rods wide should be laid out round the Ring, for town and country. The road, built of the width here ordered, remained a ten-rod road almost ninety years; but on April 11, 1786, the town voted to reduce the road on the north side of Ring-Swamp, to five rods in width. June 11, 1750, a committee, consisting of Mr. Philip Towle, Ens. Jonathan Leavitt and John Nay, was chosen to prosecute any person that should fence in any portion of the *ten rod road* around the "Ring," or any other way in the town. March 19, 1765, Voted, "That the selectmen shall have liberty to take in some part of the common or road into the Burying yard, if they shall think proper."

It would be interesting to trace the gradual spreading out of new farms in all directions, and the laying out of new roads as necessity required. Of many of these roads, however, there is no record; and of others, a mere mention in these pages is deemed sufficient.

The same vote which ordered the narrowing of the road on the north side of the Ring, included also the narrowing to five rods in width, of the continuation of this road towards the beach, "from Joseph Johnson's (Young's corner) to Ezra Johnson's" (Leavitt's corner).

DRAKE SIDE ROAD.

Long before this, in 1652, the town laid out "a way from mill brook to Goodinan Page's upland," so as to be most convenient "for the coming into all theyre meadows." This was through that part of the town now known as "Drake Side," from Drake's bridge, as the road now runs, to Robert F. Williams', and so down the lane in front of his house to the meadows.

WINNICUT ROAD.

We read the brief records of doings in early times, and pass them by, with scarcely a thought of the arduous toil involved. Here, for instance, November 30, 1657, "It is ordered that the surveyors of the highways shall take as many men with them as they shall think meet, to cut a convenient way for sleds to pass from the North hill bridge to Winnicut River." What days of labor! what diligence with axe and pick and spade! tall trees and tangled undergrowth must be cleared away; rocks must be removed and ground levelled, before even "a convenient way for sleds" can have been cut.

PORTSMOUTH ROAD.

December 15, 1657, it is recorded that the selectmen chose "Will: Fuller & John Casso To lay out the hyway towards Strabry bank to the extent of our bounds as conveniently as may be w^{ch} they have d^{un} according to their discesion." January 31, 1711, there is the return of a committee "to lay out the road towards Portsmouth as far as the town extends," four rods wide, as the road previously went; which is probably simply a widening of the original road to "Strabry bank."

LANDING ROAD.

The vote for laying out the road from the Academy green to the Landing is in these words, under date January 1, 1661: "Hen: Roby, Tho: Marston & Tho: Ward are appointed to vew the Hightway from the meeting house to the Landing plase which lyeth through William Fuller's land by his house and barne and to bound itt outt two rod wid att the narrowest, according to their disscretion."

A road had been opened here nearly or quite twenty years earlier, but its width had been considerably diminished by encroachments made during that time. Again, in 1825, the same road was run out, "two rods wide."

January 10, 1661: At a meeting of a committee appointed, to de-

termine and record convenient highways, and to award damages, it was ordered that where any *private way* had been, or should be, laid out through any person's land, whether meadow or marsh, the sweepage and feedage of every such way should belong to the owner of the land over which the way passed, and should not be claimed by any other person — such ways, in this respect, differing from town and country ways, the sweepage and feedage of which, the committee judged to be common.

In the record of the doings of the committee at this meeting, the *Mooring-Turn*, so called, in Hampton river, is mentioned as the place "where the boats do usually ride at anchor." It was their opinion, that those who had occasion to moor their boats there, had also a right to use a foot-path leading to it over a tract of salt marsh, formerly owned by Thomas Marston, but at that time by John Cass; and as no compensation had ever been made to either of these men, for damages, it was thought to be no more than justice, to offer to Cass a certain tract of land, in full satisfaction for this use of a portion of his marsh, and he accepted it as such.

KINGSTON ROAD.

At a town meeting October 12, 1663, a committee was chosen to search out the most convenient way to Kingston, then a remote part of the town, and to have a road laid out accordingly. The "whole towne" was to turn out to build this road "to the Towneship by the Greatt Pond."

NORTH HAMPTON COMMON.

The Common, where the church and school-house now stand in North Hampton, was laid out in 1675. The town appointed Henry Robie and John Sanborn a committee, to exchange some land with Samuel Dalton on the north side of the North-hill bridge, for a convenient passage-way over the Ridge, for the herds and for carting; and the committee, "considering the conveniency of the place and that a large passage might be of great use for the town in that place," laid out the way fifty-two rods in breadth at the south side, and thirty-three rods at the north, and about sixty rods in length; all of this land to be common throughout. (Return made, February 18, 1675.)

NOOK LANE.

In 1686 Dea. John Tuck, by liberty from the town, built a grist-mill on Nilus brook; and it became necessary that a road or way should be opened, by which the mill could be reached. The most

feasible route was to begin on the easterly side of the Little River road, so called, at a place nearly opposite the house of Benjamin Lamprey (now heirs of James and Samuel C. Lamprey), and to open a path from that place to the mill in as direct a course as practicable. Owing to the roughness of the ground, however, and other obstacles, there were many crooks in the path marked out and used for many years. It could hardly be called a road, and in fact, it was usually called *Nook lane*. In 1842 it was widened and straightened, and in 1844, extended from the mill to the sea-shore; and forms a part of the direct road from the railroad station to the North Beach.

EXETER ROAD.

That the road from Hampton to Exeter was built at a very early period is certain, though perhaps no record of the fact remains; but the two towns, settled in the same year, and intimately connected in many ways, must have had means of communication with each other better than a mere Indian trail through the woods. Tradition has it that this road was laid out by a bear; the story being, that Bruin made a night raid on the settlement near "Wigwam Row," and that men going in pursuit the next morning, followed its tracks in the light snow to its watering place at Squamscott Falls, and built the road accordingly. They say this accounts for its crookedness.

This road passes through a part of the town, called Bride Hill. The origin of the name is obscure, but tradition says it was in honor of a marriage rite, performed in the open air. Off from the road some fifteen or twenty rods, down a sharp decline, stands a beautiful, lyre-shaped elm, towering high above a young pine growth. This is called the "bridal elm," for under it, it is said, the happy couple stood while the minister joined them in marriage—a very pretty conceit, but spoiled by finding that Bride Hill is mentioned on the Town Records as early as October 12, 1669, when the bridal elm was not even a seed, and ministers were not authorized to marry. Some say, however, that the bridal elm was an oak; some say, a birch. Clio, daughter of Jupiter, shuts her lips and will not tell.

LITTLE BOAR'S HEAD TO RYE.

"Att a meeting of the selectmen of Hampton, 15th November 1693 they then agreed to lay out a cart hyghway from the bench att the farther End of Littell Bors Head pond Round the swamp downe to the End of ffrancis Jinnisis pond fower Rod wide and a hyghway from that into the woods sixe Rod wide. Voted."

HAMPTON FALLS TO EXETER.

September 23, 1700: "This meeting being warned to Consider of the best and Easiest way for the making of the new way from Hampton falls to Exeter The Towne have noted that the Saueyers shall forthwith take care to make the Bridge ouer Taylers Riuer A good Cart Bridg and to Repaire all the other way that belong to the Towne to doe; But from the Bridg to the High land Ensigne Tilton doe In-gage to make it good and Maintaine it for the which the sayd Daniell Tilton and his sons are to be freed from all other Highway work in the Towne so long as he or they shall maintaine the same The Towne also doe agree with Him the sayd Tilton that he shall haue ten able men one day Appointed by the Saueyers to help him now att first to make it good."

SHAW'S HILL TO LITTLE RIVER.

At a meeting of the proprietors of the First Division, May 7, 1734, it was voted: "That there be a highway four rods wide from the mouth of the lane by Benjamin Lamprey's [Nook Lane] to Little River Bridge where the sawmill stood as the cart way now goes, forever, and the middle of s^d cart way, as itt is now cleared of stones shall be the center of s^d four rod way."

In 1739 it was voted in town meeting, that the selectmen keep all roads at their usual width, and prosecute all that "shall intrude on them."

"Intrusion" by moving out fences seems sometimes to have occasioned serious trouble. The road most injured was the one "that leads from the place called the Windmill-hill¹ to Freese's landing, so called." It was proposed to "choose a committee to judge upon" this road. This was in December, 1765.

The town refused to appoint a committee to consider the matter at that time, but a few months afterward depositions were taken, to show the fact and the extent of the encroachments. It appeared that within the remembrance of some elderly persons who gave their testimony, the landing road had been very wide and its side boundaries well understood; that these had remained unchanged for many years, but for a considerable time before this investigation a change had been going on; and now the fences of some of the owners of adjoining lands had been built many feet outside of the original lines. Probably the bounds were set back, but no record remains.

¹ See next chapter—Johnson's Windmill.

HAMPTON CAUSEWAY TURNPIKE CORPORATION.

Not to notice the various minor acts of the town, we come now to make special mention of a highway, early known as *the causeway*, and afterward, *the turnpike*,—by far, the most difficult and expensive to keep in repair of all the roads leading out of Hampton. The two parishes of Hampton and Hampton Falls, as we have seen, were separated by a long reach of salt marsh, through which flowed Taylor's river. No doubt, the two settlements were connected from the outset, by at least a cart path, with a rude bridge thrown over the river; for in the early records, mention is often made of "the causey," and of votes for repairing road and bridge; but it was not till the early part of the present century, that any system of permanent improvement was adopted.

The matter was agitated at the annual town meeting in 1807, and a committee chosen to consider it. They applied to the Legislature for aid, and reported the next year, that "the Legislature passed an act, enabling the town to raise and turnpike said causeway and to take toll in the manner and under the restrictions in said act mentioned."

With this act the committee were dissatisfied, and they advised the town not to proceed under it, but to petition the next General Court for an amendment, dividing the causeway into shares, to be subscribed by individuals—the inhabitants of Hampton having the first right of subscription—the town of Hampton taking as many shares as it might desire. This was done, and an act more satisfactory than the former one was passed, December 23, 1808. It was entitled: "An act to incorporate a company by the name of the Hampton Causeway Turnpike Corporation." The town voted to take ten shares, and chose Col. Benjamin Shaw its agent.

In 1810 the town chose a committee of five, to adjust matters with the Turnpike Corporation, relating to marsh and gravel taken in building the road. The joint committee of town and corporation made their report in December, which was accepted, and is, in substance, as follows:

That the town of Hampton shall relinquish to the Turnpike Corporation all and every demand now standing, and that said town shall gravel the turnpike from the northerly end to the middle bridge on the causeway over the sluiceway, annually, to the acceptance of the directors of said Turnpike Corporation; and that in consequence thereof all and every inhabitant of Hampton shall pass the turnpike at all times free from the payment of toll of any kind whatever. Signed, John Dear-

born, Jonathan Marston, Abner Page, Jonathan Marston Jr., Joseph Towle Jr., *committee of Hampton*; and Samuel F. Leavitt, Nathaniel Drake, Theophilus Sanborn, *Committee of T. Corporation*.

The whole length of the turnpike was two and one-fourth miles, extending from the house of James Leavitt, Esq., in Hampton, then kept as a tavern, to that part of Hampton Falls usually called "the Hill"—a considerable portion of it built on the old road-bed. A new road, a few rods in length, was built on the upland, near the tavern, to cut off a sharp corner; and a part of the road across the marsh, including the bridge over Taylor's river was located a little below the old road.

The turnpike, when completed, was a safe and easy road for travel, far superior to the old one, and would have been satisfactory to the public, if it had been a *free* road. There was, however, much dissatisfaction and complaint on the part of travellers and teamsters, since in using the turnpike, they were subjected to a toll; and various expedients were resorted to, in order to evade the payment. A slight bridge, called the *shunpike*, was thrown across the river, at a considerable distance above the turnpike, over which many people passed, preferring a circuitous route, which was free, to a nearer and better one, subject to a toll.

At the February term of the Superior Court, held in Portsmouth in 1817, the town was presented by the grand jury, for not keeping in good repair that portion of the turnpike within the limits of Hampton. The town chose David Towle and James Leavitt, Esq., as agents, to defend the town against this indictment; and chose Richard Greenleaf, Tristram Shaw and Samuel Dow, a committee, to agree with the Turnpike Corporation respecting the expenses that might be incurred in consequence of the indictment.

PROPOSED ROAD FROM VITTUM'S CORNER TO SHUNPIKE BRIDGE.

In 1821 the selectmen were petitioned to lay out a new road in Hampton, beginning at Vittum's corner, so called,¹ and running to the line of Hampton Falls at the shunpike bridge, so called. As they declined to lay it out, application was made to the Justices of the Court of Sessions. The town voted to use all laudable means to prevent the laying out of the road. Dr. Ebenezer Lawrence was chosen agent for the town, to make a defense at the Court of Sessions against the proposed road. The defense, however, was of no avail. The Court, by their committee, laid out the road. But this did not end the controversy.

¹Marston's corner, on the Exeter road.

Another town meeting was held on the 16th of September, 1822, to see whether the town would be at any more expense to prevent the making of the road, which had then been laid out, and to defend the turnpike. The last clause in the above sentence is very suggestive. There are men now living, who well remember the bitterness of feeling, occasioned by the controversy about this road and one or two others not far from the same time. Some of the warmest advocates of this road admitted that their intention was to divert the travel from the turnpike, and thus break down the Causeway Corporation. The opposers, generally, believed that the road was not needed for the accommodation of the public; and many of them, that the town would not be acting in good faith towards the corporation, erected by their agency, if they should countenance the building of any other road, intended to make the investments worthless to the stockholders.

The town did not proceed to build the road laid out by the Court of Sessions.

PROPOSED ROAD FROM NORTH HAMPTON LINE TO HAMPTON FALLS LINE.

In 1824 another road was laid out by the Court of Sessions, beginning at North Hampton line and running through Hampton to Hampton Falls line. As this was only part of a road, to lie in several towns, the Court had original jurisdiction, without any previous refusal on the part of the selectmen. In the judgment of a large majority of the legal voters, however, the portion of the road, as laid out across this town, if built, would not so well accommodate the public, as did the roads then in use. The route of the contemplated road was to a considerable extent so rough, and in other places so wet and miry, that it could not be built without great expense, nor easily kept in repair, if built. Hence, with very few exceptions, the citizens were opposed to the road, and the town refused to build it,—for which refusal, it was indicted, and an expensive lawsuit followed.

At the annual town meeting, in 1825, the selectmen and the town agent, Dr. Lawrence, together with James Leavitt, Edmund Toppan and David Nudd, were chosen a committee, to consult with the directors of the turnpike, and to require them to call a meeting of the proprietors and others interested, to ascertain the lowest sum for which the corporation would consent to surrender the charter, to make the road a free one, to be kept in repair by the towns of Hampton and Hampton Falls.

Eleven months afterward, the committee reported, that the corporation would relinquish to the two towns the Hampton Causeway

Turnpike, and all their right to keep up any gate, and to take toll on the same, with the canal and ditches on the sides of said turnpike, not including, but reserving the buildings and uplands appertaining to the same, for the sum of five thousand dollars, to be secured to the shareholders at an interest of six per cent, payable annually; the principal to be paid by installments so apportioned, that the payment of the whole should not extend beyond six years.

Both towns agreed to the terms offered, Hampton paying three thousand dollars and Hampton Falls two thousand, of the sum required. The business was satisfactorily concluded, and on the 12th day of April, 1826, the gates were taken down, and the turnpike became a *free road*.

ODIOUS ROADS DISCONTINUED.

In August following, through the efforts of Dr. Lawrence, town agent, and the selectmen, the Court of Common Pleas consented to the discontinuance of the road laid out by the Court of Sessions in 1824, from North Hampton line to Hampton Falls line.

The road from Vitlum's corner to Hampton Falls was discontinued about the same time.

ROAD TO MEET THE LAFAYETTE ROAD.

While the above case was still pending, the selectmen of Hampton, upon application made to them, June 19, 1826, laid out a road from a point near the present residence of Stacy Wheeler Brown, extending on the easterly side of his house, to the North Hampton line, to meet the Lafayette road, so called, that had been built from Portsmouth nearly down to the line. It is probable that the laying out of this road aided the Hampton cause materially in the case in court, although North Hampton had already continued the Lafayette road in the direction of the proposed road, as far as the Hampton line. But the fact that the turnpike had been made a free road, as has been stated, so that there was no longer any cause for shunning that route, aided still more in freeing the Hampton people from building the roads so odious to them.

THE NEW ROAD.

Another highway which requires special mention is that still known as *the new road*.

Prior to the year 1852, there was no direct route from the center of the town to the North beach; but in April of that year, a petition was presented to the selectmen, to lay out a highway, "commencing at

the well in the road near Lane's corner" and running easterly to the head of "Nook Lane," which would give a continuous, direct way from Exeter to the beach.

Accordingly, the selectmen ordered a hearing for the 24th of May; but "for divers good causes," probably because by that time the land had been planted, adjourned till November, when they laid out the road as petitioned, awarding, in land damages, more than eleven hundred dollars to the owners, the whole tract being valuable tillage. A further award of a hundred fifty dollars was made to Dea. Jeremiah Hobbs, to remove his windmill, which had done service for many a year, in grinding corn for the farmers.

For beauty of summer scenery this road has scarcely its equal in the town;—a gently undulating surface, spreading broadly to south and north; fields of corn and waving grain of various shades on either hand, flanked in the distance by farm-houses and public buildings; Kensington hill and other elevations towering upward in the west; and looking eastward, the blue ocean, dotted with sails, and sparkling in the sunlight. Already the sea breezes begin to stir one's pulses with a sense of exhilaration and freedom; and eagerly he presses onward, till, reaching Nook Lane, he is shut in by lofty pines and leafy birches and alders, while the air is filled with the fragrance of wild roses and clematis. At the end, the awful, ever-changing, restless, fascinating, indescribable sea.

TOWLE ROAD.

By this name is known the road leading from "Vittum's Corner" (near Norman Marston's) to "Drake Side" school-house. A portion of this road, as originally built, was crooked and narrow, seeking the easiest and cheapest place of crossing a stretch of swampy land. In 1887 an alteration was made, by building a new road from a point near the house of Samuel A. Towle, westerly about one-fourth mile, across said Towle's pasture, and forming a junction with the old road again near "deep run bridge." The contract for building was awarded to Samuel A. Towle, for ten hundred sixty-five dollars. The total cost, including land damage, tile and railing was twelve hundred dollars. The old road was discontinued by vote of the town, and reverted to the adjoining land owner.

SEA-SHORE ROAD.

Spasmodic efforts have been made for a good many years, by individuals in Hampton and North Hampton, to secure the building of a sea-shore road from the causeway to Little Boar's Head.

At the annual March meeting, 1887, the town of Hampton voted to appropriate the sum of one thousand dollars for the construction of a highway, running near the beach, to North Hampton line, provided an appropriation be obtained from the State, to aid in the construction.

Hornace M. Lane, our representative to the General Court, had a bill introduced for that purpose; and the sum of fifteen hundred dollars was appropriated, on condition that a like sum be raised by the two towns— one thousand dollars by Hampton and five hundred dollars by North Hampton. The required sums were appropriated, and the selectmen of the two towns, on petition, acting as a joint board, laid out the road, commencing near the foot of the causeway, and running along the beach land in a northerly direction, to the road behind the fish-houses; thence through the field of Jacob B. and Moses Leavitt; thence on the beach land to the town line; and thence on land in North Hampton, to Little Boar's Head.

Before the town was ready to build the road, several individuals petitioned the Supreme Court for another road, commencing nearer Great Boar's Head, at the Logs, so called, and running northerly, parallel with the road leading from the causeway to Boar's Head; and thence on, to the fish-houses, over the Leavitt field and the beach land, to Little Boar's Head. The petition was entered in the court at the October term, 1890, and referred to the county commissioners. It was recommitted from term to term, till a hearing was had, September 21, 1891. The town opposed the petition on the ground that a part of the road—the southern end— was not needed, as it would be near and parallel with the present road leading from the end of the causeway to Boar's Head, and because it would be liable to be washed away by the sea, in the great storms.

The commissioners, however, laid out the road, in December. Their report, at the January term, was recommitted, with instructions from the court, to find out whether or not a certain heavy storm since the hearing in September would have damaged the road and whether it would be impracticable to maintain the highway, as laid out. The commissioners gave another hearing on the 8th of April, 1892; and in their second report recommended a change— which was, to abandon the parallel or double road from the Logs, and begin the new one at a point in the existing road nearer the causeway. The town being satisfied with the recommendation, the court ordered judgment on the report, and on the 6th day of May, 1892, the suit was ended. [Thomas Leavitt, of Exeter, council for the petitioners; Charles M. Lamprey, for Hampton; Calvin Page, of Portsmouth, for North Hampton.]

Thus is now laid out a beach highway, running directly from Great Boar's Head to Little Boar's Head. The road will be about two miles long, and will be a nearer route by three miles, than the old roads.

In 1889 the town purchased a road machine, for two hundred fifty dollars. It does very satisfactory work; and if properly handled, will keep the roads in better repair than in former years, at less than one-half the cost.

CHAPTER XXXI.

THE STORY OF THE MILLS.

THE EARLIEST MILL.

AN agreement was made, August 4, 1640, between the town and Richard Knight, in regard to his building and keeping a grist-mill at the Landing; for which the town was to allow him reasonable accommodation. What this "reasonable accommodation" should be, was determined at a town meeting, on the 25th of the same month, by granting him "an hundred acres convenient." Articles of agreement were mutually subscribed and sealed on the 14th of September. The mill was built and the land promised, conveyed to Knight.

This seems to have been the first mill built in the town. It remained in possession of Goodman Knight several years; but in February, 1646, he conveyed it by deed to Christopher Lawson, of Boston, together with his dwelling-house at the Landing, with several tracts of land lying near, and others more remote—containing in all some more than one hundred acres; and all the privileges and appurtenances thereto belonging.

This mill was on the south side of the road, opposite the Benjamin Perkins place.

SAYWARD'S WINDMILL.

September 8, 1642: The town granted to Henry Sayward, a lot of land five rods square on the hill beyond William Fuller's lot, to set his windmill on; and a way, one rod in width, leading to it. The site of this mill, which was probably the second mill in town, was on the ridge, back of Alonzo W. Shaw's, and not far from that place; the rod way to it leading from the high road to the beach.

A FORGOTTEN MILL.

There is a tradition, that, at an early day, a mill was built on a creek, flowing into Brown's river, a few rods southerly of Eastman's point, and known as "The old mill creek." When and by whom the

mill was built, no one pretends to know; but there are timbers lying in the creek, partly imbedded in mud, and when the tide is up, covered with water, which have probably lain there many scores of years. About the year 1828, Moses and Benjamin Perkins, owners of the land lying along the borders of the creek, dug some of them out, and found them sound and well-preserved, owing probably to the saltness of the mud and water in which they lay.

It was on the way over the marsh to this mill, that a farmer with his grist of corn on a hand-sled—so the story goes—passed a group of witches, drinking tea off a cake of ice.

GOVE'S WINDMILL.

In the account of Queen Anne's war, it was related that the Indians killed Thomas Lancaster, on his way home from mill.¹ This was Gove's windmill, afterwards owned by Edward Gove, grandson of that Edward who undertook to reform the government, in 1683.² It stood where now is the homestead of David Gove, in Seabrook, a little back of the house, on some rocks, still called the *mill rocks*. There yet remains a stone, on the premises, thought to be one of the mill-stones.

Some years ago, Mr. David Gove took away a stone wall, near the mill site, and found under it a well of good water, some six feet deep.

TAYLOR'S RIVER MILLS.

The First Sawmill.

Nothing is found in the town records or elsewhere, so far as we know, to show that any sawmill was built here till about twenty years after the settlement of the town. While the houses were built of logs, sawed lumber was used only to a very limited extent. What was indispensable could be cut with a whip-saw, though not without much labor. When the log house gave place to a framed building, saw-mills became a necessity.

The first sawmill in the town, of which we have any account, was undertaken by Robert Page. The town granted him liberty to set up his mill at a convenient place on Taylor's river, and for his encouragement, gave him a clump of pines on the North side of Mr. Dalton's farm, and also allowed him to take timber from the commons, to saw at his mill, for his own benefit. Page, in consideration of the favor granted, gave the town a bond, in the sum of one hundred

¹p. 234. ²p. 108.

pounds, that he or his assigns would build the mill, and have it in readiness for sawing lumber "by Michaelmas come twelvemonth" (September 29, 1658); and that he would then furnish boards for three shillings per hundred, as fast as he could, taking in payment any merchantable articles at price current; provided, however, that no man should receive more than one thousand feet at a time, "till every man that stands in need shall have the like successively, one after another." This arrangement was confirmed by vote, at a town meeting, held February 26, 1657, and accepted by Robert Page. Not long after, the town by vote, extended the time for the completion of the mill, one year, on condition that the contractor would give up William Marston, the carpenter he had employed, so that the town might have his services in fitting up a house for Rev. Timothy Dalton, he having sold his homestead to the church and town, for a parsonage.¹

This mill was probably on the site occupied, in later years, by Coffin's gristmill, which was burned in 1876.

Removal of Sawmill.

On the 16th of December, 1680, the town voted that the owners of the old sawmill "have liberty to remove said inill, or rebuild it, at a convenient place, further up Taylor's river, but below the mouth of the Great Swamp run (Bride Hill mill stream), provided that the said owners subscribe to such articles as shall be drawn up by the committee now chosen by the town, to wit: Henry Robie, Henry Dow, and Serg^t Joseph Dow." The new site was probably about one-fourth mile higher up the river, at a place now known as the *upper dam*.

Garland's Mill.

At a meeting of the freeholders, November 18, 1700, liberty was given to John Garland to build "a corn gristmill" upon Taylor's river, where the first sawmill was built; on condition of his grinding corn for one-sixteenth part thereof; and that he build no dam to do damage to the sawmill first above.

Sawmill moved back.

In 1708 John Garland had become one of the ten owners of the sawmill, which they now wished to move back to the old spot, "or near thereabout." They built over the dam, the partners agreeing to share equally in the work and expense, and to use the privilege of the mill by turns, Garland and his heirs not to draw any water for the

¹p. 302.

corn-mill except upon the last third part of every man's turn ; "and then, if they don't come to saw, he may draw water for to grind the corn as it comes to mill, if he can." The mill gate was to be kept up through June, July and August, every year. Articles of agreement were signed, January 24, 1709.

Mr. Jacob T. Brown says : "The *apparent* reason for the removal up stream was that a permanent dam could be built and maintained there very much cheaper than at the lower mill, for the reason that the river at this (the upper) place was narrow and the banks bold and strong. The 'mill privilege,' however, not being nearly as good at the upper dam as at the lower, the latter was rebuilt and the upper site abandoned." After the removal, the two mills stood at the same dam—the sawmill, on the Falls side of the river, where Brown's saw-mill now is, and the gristmill, on the town side.

In 1722 Garland had a gristmill at Winnicut, as appears from the return of a committee, appointed to lay out land to men who had lost their lots in the First North Division, the report being made July 9th, of that year. Five acres of land were laid out to Lieut. John Sherburne, "near y^e mill caled Garland's mill, beginning at a small Pine standing by the side of y^e Mill Pond about seven rod from y^e Grist Mill and so bounding on said Pond" &c.

In 1701 there was a sawmill on Winnicut river.

Coffin's Mills.

In 1825 Stephen Coffin bought, with other property, the gristmill which, we have seen, was established at the same dam with the old sawmill on Taylor's river. In the intervening time, the two mills probably passed their useful existence, like other mills of the olden days. In 1827 Mr. Coffin deeded the gristmill to his son, Aaron. It was carried away by a spring freshet in 1841, and rebuilt the next fall. It descended to Aiken S. Coffin, son of the last owner, and was by him conveyed to his brother, Sylvanus B. Coffin. In 1865 he enlarged the mill and put in additional machinery for planing and shingle sawing. Later, he erected a large building for a box-factory, with clapboard saw and lath saw. These buildings were sold in 1875, to Arthur T. Wilbur, a box manufacturer, from Massachusetts, who put in steam power. On the 6th of June, 1876, they were burned to the ground, and have never been rebuilt.

Brown's Mill.

The "old sawmill" shares were bought by Aiken S. Coffin at different times, as he could secure them, till about the year 1850, he owned

the whole property on the Hampton Falls side of the river. This he sold to Mr. Wilbur, at the same time that his brother, Sylvanus B., sold his, on the Hampton side. Up to this time, it was an old-fashioned mill, with an up-and-down saw, run by a flutter wheel, and all the work done in a hard way. Mr. Wilbur put in a circular saw and other modern improvements. After his other mills were burned, he sold his whole property on both sides of the river to Jacob T. Brown, of Hampton, taking in exchange a portable steam sawmill, which he removed to Greenland.

Mr. Brown, with whom has become associated his son, under the firm name of J. T. & F. B. Brown, built in place of the old sawmill a new one, eighty-four by twenty-four feet in size, fitted with a Chase turbine wheel, a fifty-four inch inserted chisel-tooth saw, a double-surface planer and matcher, bench saws and all modern appliances of a first class sawmill, which is capable of sawing from eight to ten thousand feet of lumber per day. Mr. Brown says: "Of old, the mill was sixty feet or more from the bank, and logs, held up by framework, were laid from the bank to the mill. Logs were rolled over these 'stringers,' and lumber carried out by hand over them. The bank, at different times was built out and the stringers shortened, till we, at last, filled in to the mill."

Batchelder's Sawmill.

The complete history of this mill privilege is lost. It is probable, however, that it dates back of the separation of the towns, and may justly claim notice among Hampton mills. It is situated on Grapevine Run, which flows into Taylor's river nearly a mile, by a straight line, below Browns' mill; and it is now owned by John Thayer Batchelder, of Hampton Falls, whose father, Moses, built the present mill, which takes the place of a former mill, built by Moses' father, Dea. David Batchelder. Back of this, we can only learn that it was then an old mill site, which had been owned in the Batchelder family for many years.

FALLS RIVER MILLS.

Green's Gristmill—now Dodge's.

About the 10th of May, 1648, the town "granted unto Abraham Perkins and Henry Green, in consideration of building a watermill in the town of Hampton, at the Falls, twenty acres of upland as near the falls as may be had, and ten acres of salt marsh as convenient as may be had; and five acres of fresh marsh where it may be had;—

two shares of commonage and all the swamp that lay between Henry Green's houselot and his planting lot, that is not yet given out."

About three years later, Green bought out his partners for thirty pounds. On the 19th of April, 1679, at a general town meeting: "Liberty was granted to Henry Green to set up a dam on the falls river, above his dam that now is, provided that it do not prejudice any town-highway or p'ticular man's property by flowing their land or ways."

December 16, 1700. At this date Capt. Jacob Green, son of Henry, wishing to take down the old mill and build a new one: — "The Town grant him the same privilege of the stream that his father first had for his encouragement, to new build the mill, as he shall make appear by evidence. And when the mill is builded, the said Capt. Green is to grind the town's corn brought to him, for the sixteenth part thereof, when there is water to do it.

Nath^l Weare Esq., dissents."

This mill is now owned by Mrs. John W. Dodge,—inherited through several generations, from Nathaniel Hubbard Dodge, who bought it of Gen. Jonathan Moulton. He probably obtained it from Captain Green's heirs.

Weare's Mills.

Against the foregoing transaction, Mr. Weare was possibly an interested party; for we find that, at a commoner's meeting, May 8, 1722, there was "granted to Deacon Nath^l Weare one acre of Land by his Saw Mill as shall be layd out to y^e least damage of y^e commoners at y^e discretion of Lt. Jonathan Marston & Simon Marston for y^t end, being in full satisfaction for his service as comitte in Jennins case."

This mill privilege was farther up the Falls river, and was, without doubt, identical with the Weare's mills of to-day. How far back it dates is not known. The oldest paper now to be found (in possession of Col. John M. Weare, of Seabrook), is a deed, dated June 10, 1757, from Meshech Weare to his nephew Jonathan Weare, of fifteen acres, more or less, of land "where the sawmill stands, which formerly belonged to Nathaniel Weare, Esq." Jonathan gave it by will to John; he, to his two sons, Joseph Hubbard and John, the former of whom rebuilt the mill, before his brother became of age, and took in equity, two-thirds of the property, as his share. This he left to his son Joseph II., Jr., who sold one-half of the whole to Jacob Gove. John Weare and John M. Weare bought it back from Gove's heirs. The property is now owned, five-sixths by Benjamin Frank Weare,

son of John, and one-sixth by George A. Weare, son of Joseph H., Jr

Probably Jonathan Weare built the gristmill, which descended with the other property. It has not been running for some fifteen years.

In Kensington.¹

Still farther up the Falls river than Weare's mill, within the present town of Kensington, are yet to be seen three dams, marking the sites of mills, supposed to have been built as early as 1700. A fulling-mill and Pike's sawmill, one on either side of the stream, were both fed from the lower dam. Next above was Locke's gristmill; and only a little removed, stood Page's sawmill — the road from Exeter to Amesbury passing between them. These mills are all gone.

OTHER KENSINGTON MILLS.

Other mills, probably of the same times, were Fellows' gristmill, in the north, on a small tributary of Exeter river; and Blake's sawmill in the west, on the "Stumpsfield road."

About a quarter of a mile above Fellows' mill, on the present site of Poor's sawmill, there stood a sawmill, which was old, when Mr. Poor's mother, born in 1775, was a child. This was owned in shares, according to the custom of early days.

BRIDE HILL SAWMILLS.

A glance at the map will show where the Bride Hill mill-stream, which rises in the "Old Swamp," enters Taylor's river, the general direction of the stream and the location of the two sawmills. The history of these mills is involved in some obscurity, though they do not appear to be very ancient. They are not marked on the plan of the town, made in 1806; but the following year, Capt. Samuel James bought of James Leavitt one share in the LOWER MILL.

Originally, the property of each mill was divided into eight shares; and this arrangement still holds with regard to the lower mill, the present shareholders being: Elias D. Elkins, three shares, George N. Batchelder, Mary C. Chase, Norman Marston, Ralph S. James and John A. Towle, each one share. The mill has been silent for two years; but is now about to undergo repairs, and be restored to its former activity.

In course of time, all the shares in the UPPER MILL came to be owned by two men, namely: John Dearborn, six shares, and Stacy Towle,

¹Information by Messrs. Joseph W. Brown and Joseph Poor.

two shares. Subsequently, Jonathan Philbrook, of North Hampton, owned all the shares; and of his heirs, Walter L. Drake bought the whole property in the fall of 1870, since which time this mill has been generally known as **DRAKE'S MILL**. Mr. Drake owns the adjoining pastures, and therefore has the right of flowage.

Marston's Gristmill.

Cornet David Marston built a gristmill, at an unknown date, on an elevation at the lower end of his pasture in "Isaac's Swamp," on a small stream, running into the Bride Hill mill-stream. A cart path, beginning on the North Hampton road, a little north of David A. Marston's present homestead, led to the mill, which stood not far from the town line, on the Hampton side. The property descended to David Simon Marston, son of the former owner, and he finally took down the mill. The sills still remain.

LITTLE RIVER MILLS.

Peter Johnson's Gristmill.

February 17, 1672: The town granted liberty to Peter Johnson to set up a gristmill upon the Little river, above the meadows, near to the Barren Hill,¹ in the most convenient place, where the said Peter Johnson shall choose; and the like liberty is granted him to set up a fulling-mill and a turning-gear, if he see meet, and upon this condition: the said Peter Johnson doth relinquish his right of a grant formerly granted to him at Nilus river (of an unknown date).

This is very nearly the site of the present middle sawmill, owned by R. L. Moulton, and built over in 1855.

The Upper Sawmill.

A company, consisting of James Johnson, Josiah Sanborn, John Hobbs, John Dearborn, Sen., Samuel Dearborn, Caleb Marston, Thomas Roby and Samuel Roby, was formed—probably in 1692—for the purpose of building and operating a sawmill on Little river, above the site granted to Peter Johnson for a mill, more than twenty years before. They built a dam, and made preparation to erect a mill the next summer. As yet, however, they had not received any grant from the town. The case was brought up and acted upon in town-meeting on the 24th of March, 1693. The proceedings of the company had evidently been irregular, and all the members were re-

¹ Barren hill is just above the present middle mill site, on the north side of the stream.

garded as trespassers and ordered to desist, unless they should agree to such terms as should be proposed; and the town chose Capt. Henry Dow, Lieut. John Smith, and Lieut. Christopher Palmer, a committee to draw up articles of agreement to be assented to, and subscribed by the members of the company. The terms were agreed upon and the names subscribed September 4, 1693.

The town granted to the members of the company the benefit of the water-power and a suitable mill-yard, to be held by them, their heirs and assigns, so long as they maintained a mill there, and also guaranteed that no dam should be built between their mill and Peter Johnson's old grant. In consideration of this, the grantees agreed to give the town eight thousand feet of merchantable pine boards out of the first ten thousand feet that should be sawed, and to deliver the boards at the Meeting-house Green, on or before the last day of May, 1694.

The mill-privilege here granted—where the *upper* sawmill on Little river stands—has been occupied by a succession of sawmills from the date of the grant till the present time.

The mill has long been owned by Nathaniel B. Marston; but this year, 1892, he sold it to John F. French, fourth son of Rev. Jonathan French, D.D., more than fifty years pastor of the church at "North Hill."

An Ancient Site, and the Present Lower Mills.

The same day on which the articles of agreement about the upper mill were signed, the town granted to another company, on nearly the same terms, a sawmill privilege on the same river, about three-quarters of a mile farther down. In the record it is described as being "below Peter Johnson's grant." The mill built by this company was on land belonging to the Lamprey farm, now owned by Charles Preoschold. The mill has long been gone, but a part of the old dam is still to be seen. A new one was afterwards built farther up the stream, where the present Daniel G. Moulton saw and grist mills stand.

John Smith's Mills.

At some time, date not known, Lieutenant John Smith had undertaken to build a *fulling-mill*; but, after expending a considerable sum, he had found that the mill would fail to meet his expectations. In 1693 therefore, on the 24th of March, he asked and obtained liberty to remove it to such a place as he might select on Little river, above his sawmill, at the end of "The Beech Neck," and to make a dam at the place selected, for the benefit of the mill, on condition that the water should not be kept back at such times as, by a former arrange-

ment, it was to be drawn down at the sawmill below. It was also agreed that whoever might own the fulling-mill, he should "full this town's cloth before strangers' cloth." The Beech Neck, mentioned in this grant, is a point of land, near the bridge which spans the river at A. T. Brown's, said to have been formerly heavily wooded, probably with beech trees. The sawmill site is well known, some of the old timbers having remained within the memory of men now living.

The fate of the proposed fulling-mill is not known.

RYE MILLS, ON CEDAR SWAMP RUN.

The original contract, dated May 3, 1695, may still be seen, wherein John Badson, of Newcastle, millwright, agrees with Francis Jenness, Joseph Philbrook, James Stanyan and Thomas Jenness, of Hampton, planters, to build for them a dam and a sawmill, "to go with one saw," on Cedar Swamp run, commonly so called, near said Francis Jenness' house; for which he is to receive twenty shillings a week, in good, lawful money of New England, as follows; ten shillings thereof at the end of each week he works, and the other ten shillings a week "at one whole intire payment, at the now dwelling house of the said Francis Jenness," when the mill is finished and sufficient sawing has been done to amount to the required sum; the above company, to furnish material for building, also "sufficient meat, drink, lodging and Hands" during the building, and pasturing for his horse while he is there at work.

The site of this mill is about eighty rods from the Sea View House, on the Jenness road, so called, and has ever since been occupied for a sawmill, owned wholly or in part in the Jenness family. Cedar swamp commences about a mile northwest of the mill; the run is a brook, flowing through it, in some places not more than four or five feet wide. It takes its rise in the low land near Charles Sleeper's house, at Chealey's Corner, in Rye, and empties into the sea. A half mile above this sawmill, on the same stream, is Brown's gristmill; and about thirty rods below it, was Jenness' gristmill,¹ a few years ago changed into a shingle-mill, but now given up.

Anciently, a fourth mill stood about three-quarters of a mile farther up the little stream than Brown's gristmill. It was a sawmill, built at an unknown date, by a Mr. Leavitt, who, after a short time, sold it and the farm of three hundred acres, on which it stood, to Peter Johnson, of Hampton, who married in 1737, and settled on the farm. [See Genealogies—Johnson(5), Leavitt(18).] In later times, Nathan

¹[See Genealogies—Jenness] (1)].

Knowles, of Rye, bought the mill, and in 1844 took it down. The land, on which vestiges of the mill and the paths leading to it through the pastures may still be traced, is now owned by the heirs of the late John Garland.

All of these four mills are within the original limits of Hampton, and all, old mills.

NILUS RIVER MILLS.

James Johnson's Grant.

On the 19th of April, 1679, "upon the motion of James Johnson, the town gave him liberty to set up a grist and fulling mill upon Nilus River, and to make a convenient dam or dams, provided he shall not draw down water in hay-time to damnifie any man's meadow or hay that lies upon y^e meadows upon that river in any place below; upon the penalty of one hundred pounds; provided also, that if the said mill be not built and finished within two years, then this grant is to be void, and the land to remain as it now is, in the hands of the town."

Tuck's Mills.

At a town meeting, September 17, 1686, upon motion of John Tuck, the town voted to give him liberty to set up a grist and fulling mill on Nilus river, on conditions precisely like those imposed on James Johnson, seven years before; whence it seems probable that Johnson did not build. The gristmill was built, and perhaps a fulling-mill; but it was soon found that the water-power was not sufficient to run the two mills by the same dam; for, at a town meeting, November 14, 1689, Mr. Tuck was allowed to make a dam where Nilus comes out of Hasica meadow,¹ and set up his fulling-mill there on nearly the same conditions as his former grant, the mill to be fit to go and to full cloth in two years; and he was not to full cloth, nor draw down water to do damage in hay time. The mill was built a few rods west of the road leading to Little River village, in what is now called the *dam-pasture*; and was afterwards owned by Lieut. William Stanford. It has been gone many years; but traces of the dam remained in 1867, when it was rebuilt, and a shingle mill erected and put in operation. This has since been taken down.

Nilus river, or brook, did not at all seasons furnish sufficient water to keep the gristmill in operation, and another grant was afterward [December 29, 1709] made to Mr. Tuck, allowing him, so far as the town had a right to do it, to turn the springs near where Thomas

¹ Properly, *Hascocky meadow*: p. 146, note.

Sleeper formerly lived,¹ and also the springs at Alder meadow,² into the pond by his gristmill, for the term of twenty years, provided that he should improve every opportunity to grind corn for the inhabitants of the town for the sixteenth part thereof; and further engage to grind three days in a week, when there was sufficient water. On the town's part it was agreed, that, if there should be a further grant of these springs after the expiration of twenty years, Mr. Tuck should have the offer of them on as favorable terms as any other person.

The springs first named are those in the tract of ground known as "Spring-heads," lying between Nook Lane and the Little River road. The natural outlet of these springs is through the Nook run into Dow's river; but by means of a dam, usually called the foot-dam, across this outlet near the springs, the water is easily turned into the mill pond already mentioned.

From Alder meadow there were originally two outlets. Nilus brook, which runs easterly through the meadow, carries off the water from most of the springs; but those in the north part of the meadow had an outlet running northerly into Little river, which is less than half a mile distant from the meadow. By a dam across this outlet, the water from all the springs could be turned into Nilus brook, and made serviceable to any mills farther down that stream. The dam constructed at this place was called the *little dam*; and, though the dam itself has long been gone, the place where it was built, and the land near it still bear that name.

In 1785 the proprietors of the First Division voted, "that the water of Sleeper's Springs shall half run down the natural way to where carts go over the Nook Run, and the other half run into Tuck's ditch to the pond, forever; and none who hereafter have the lots the springs run through shall ever hinder the same."

Early in the present century, Tuck's gristmill had come into the possession of Reuben Lamprey, who sold it to Moses Leavitt. In 1815 Mr. Leavitt took down the old mill, which had become dilapidated, and built a new one, which he and his sons operated. Subsequently, Mr. Leavitt gave the mill to his eldest son, Jonathan, whose widow controlled it till her death, in 1885. It is now owned by Mr. Joel Jenkins, a summer resident, as a part of his estate, and is not in use.

Dam Pasture Mill.

On the 4th of September, 1693, at the same time with the grants for two of the Little River mills, another grant for a sawmill was made, on

¹ On Shaw's Hill.

² p. 146, note.

like conditions, to several persons combined together for the purpose of building and operating a mill on Nilus brook, between Alder meadow and Bear swamp. Their mill was built in the *Dam pasture*—then considered as a part of Bear swamp—and stood a little eastward of the wall between this pasture and the Twelve Shares, a few rods from the place where Nilus issues from Alder meadow. Though no traces of any mill or dam can now be discovered, and nothing to show their exact situation, yet some aged persons, who have died within the last thirty years, well remembered when the paths from the different parts of the woodland around, all tending towards the same spot, plainly indicated the locality of the old mill-yard. Dea. Jeremiah Hobbs, two or three years before his death, at the age of ninety, in 1863, pointed out the site of the mill and dam, as above indicated.

ON BURSLEY'S BROOK.

Near the close of the year 1683, the town granted to James Johnson, who ten years before, received a grant on Nilus, which he seems not to have utilized, liberty to set up a *fulling-mill* on the stream, called Bursley's brook, provided it were built and in readiness to full cloth, within one year from the date of the grant; otherwise, the grant was to be null and void.

"Bursley's brook" is supposed to have been the small stream now known as *Brussell's Run*. This stream, nearer the salt marsh, was at an early period called "Mill brook." It is now called Drake's river.

TIDE MILL.

October 13, 1681: At a town meeting, by vote of the town, liberty was granted to James Johnson and Jacob Brown, to make use of the river near the end of the highway by Jacob Brown's pasture, for the building of a gristmill; provided they build it and keep it in good order for the grinding of the town's corn; and that they make convenient gates to let out the water, that they flow not any man's hay in hay-time; and do grind the town's corn brought to them for the sixteenth part thereof; and have the mill ready to grind within two years from the date hereof. The privilege here granted was for a *tide-mill*.

The highway mentioned is the road to the "Old Dock," along the easterly side of the late Benjamin Shaw's mill-pasture, or field, from which it is not now fenced. This pasture or field is the easterly half of that designated in the grant as Jacob Brown's pasture.

In the winter of 1769, the tide-mill, then owned by Samuel Brown, Jr., and Gideon Shaw, the former a grandson of Jacob Brown, was

burned to the ground. Brown wished to rebuild; but Shaw would neither assist him nor buy out his share of the privilege, nor would he sell his own share. Under these circumstances, Brown had recourse to the General Court. He petitioned that body to take his case into consideration and devise relief. Although no record of his success is found, we see Brown rebuilding the mill, after about two years; and it thereafter remained in the Brown family till about 1818, when David Nudd and Capt. David Brown, of Little River, bought it, and put in a second run of stones. Six years afterwards, they sold to Moses and Benjamin Perkins; and in 1834, the mill passed into the hands of their brother, Deacon James Perkins, who introduced an undershot wheel, of twenty feet diameter, and otherwise extensively repaired it. In 1855, he built it over once more, and fitted new gearing; and for many years thereafter, it was in constant operation.

In course of time, Deacon Perkins' son, Henry J., became the owner of the mill; and by him, the property was sold to the town for fifteen hundred dollars, and the mill demolished, in 1879, for the supposed benefit of the marshes, on which the water had been kept back, till they had become of little value.

This Gideon Shaw, joint owner with Brown, when the mill was burned in 1769, was an eccentric man,—one of his peculiarities being a habit of talking aloud to himself on the street, or wherever he might be, and never looking back as he walked, whatever might be transpiring behind. It is related, that, when he was once drawing a bag of corn to mill on a hand sled, and talking as usual, a man who knew him well, coming up behind, stepped on to his sled, to provoke him to look back. But Shaw kept straight on, muttering, "Now she runs hard;" and when, after riding some distance without eliciting a sign of recognition, the man stepped off, he added, "Now she runs easy again," and kept on his way.

Another time, while walking over the causeway near the beach, along the side of which was a wide ditch, he carried on this colloquy with himself: "What'll you bet, Gideon, that I can't jump across that ditch?" "Half-a-dollar." He jumped, and landed safely on the other side. "What'll you bet, Gideon, that I can't jump back again?" "Half-a-dollar." Again he jumped, but missed his footing and went into the ditch. Picking himself up, he said: "Nothing got and nothing lost," and walked on unconcernedly. So, "Nothing got and nothing lost, as Gideon said," passed into a proverb.

JOHNSON'S WINDMILL.

When the mill was built and how long it remained are now unknown.

It is called *Peter Johnson's* windmill—that is, the first Peter, the same who obtained the first grant of a mill privilege on Little river. In the inventory of his estate is mentioned “two-thirds of a windmill, £7.”

The site is called “Windmill hill” in the Town Records, dated December, 1765,¹ and is now known as *Johnson's hill* (where Mr. George A. Johnson lives). The mill stood near the old oaks.

HOBBS' WINDMILL.

When the “new road” was laid out, in the fall of 1852, an award was made to Dea. Jeremiah Hobbs, to remove his windmill, which is well remembered as a conspicuous object in the “great lots,” through which the road was to pass. The mill was built by Deacon Hobbs' father, Capt. Morris Hobbs, on or near the site of a former mill, whose unknown history stretches still farther back. Standing in the midst of fields of corn and grain, Deacon Hobbs' mill was at once picturesque and convenient of access.

BERRY'S STEAM SAWMILL.²

¹p. 522.

²See next chapter.

CHAPTER XXXII.

STORES AND TRADES.

ELISHA JOHNSON'S STORE.

JOHN J. LEAVITT—SAMUEL POOR—JOHN WILCOTT, JR.—

NUTTER & BROWN—SUCCESSORS.

ELISHA Johnson, born in 1786, began, when a young man, to keep a grocery and variety store, at his home on Johnson's hill, towards the Landing.

The whole front of the house was fitted up in two rooms: the larger, for groceries; the smaller, for dry goods and notions. There was at this time no other store in town, so that all the trade centered here, and much from adjoining towns, many coming from Seabrook, by boat, to the Landing. At first, goods were transported from Boston in whale-boats; but as trade increased, a larger vessel was needed, and Mr. Johnson, in company with his brother John, procured the schooner, *Clarissa*, and later, in his sole right, the *Angola*, for the purpose. About the year 1840 he took into his employ, as clerk, his grand-nephew, John J. Leavitt, then *nine years of age*. Perhaps it was from this connection that he came to be called "Uncle 'Lisha," throughout the community. Honest and generous towards all, he was emphatically the children's friend; and rarely did the child customer leave the store without some small gift. No lock, nor even latch ever cumbered the door, the only fastening being an oaken bar laid across it. Customers knocked for admittance. The clerk's bed in the small room served for a counter, on which to measure off cloth. Boys are not apt to be fond of early rising; and it did sometimes happen, that the counter was needed before the young clerk was up, and the customer had to wait. A new store was built, at the foot of the hill, in 1851.

Though Mr. Johnson made small profits, he drew much custom and acquired a competency. At his death, in 1856, Mr. Leavitt succeeded to the business, by inheritance. He became town clerk at twenty-one years of age, and was prominent, always, in political affairs.

In 1870 the old house, on the original Dow homestead, which Capt. John Johnson had owned for some years, was taken down, and the store moved to its site, where it stands to-day.

After Mr. Leavitt's death in 1881, Mr. Samuel Poor, of Manchester, purchased the stock, which he enlarged, and carried on a thriving trade, especially in grain, for five years, when he sold to John Willcutt, Jr., and retired from business. Mr. Willcutt removed from town in 1890. The store was then kept for a short time by Austin F. Brown (of Hampton) and a partner, under the firm name of Nutter & Brown. It is not now occupied.

LANE'S STORE—J. A. LANE & CO., PRESENT PROPRIETORS.

Four of the five sons of the late Ebenezer Lane, are merchants. In 1848 Edwin B., the eldest, built the store, still occupied, and having carried on the business some years, moved to Boston; and his brother, George W., became proprietor of the Hampton store. After a successful run of fifteen years, during much of which time, the next younger brother, Joshua A., was associated with him, Mr. G. W. Lane removed to Salem, Mass., where he is now a coal, flour and grain dealer. He was for some years the principal coal merchant in Hampton, before his removal. Mr. J. A. Lane was now sole proprietor of the store till 1891, when he took into partnership Ernest G. Cole, of this town, just graduated from the New Hampshire State College. Mr. Lane has carried an annual business of thirty thousand dollars or more, in groceries, grains, dry goods and the various departments that go to make up the typical country store. Two order teams are kept on the road the year round, and often, four, in summer.

After Mr. Edwin B. Lane removed to Boston, he went into company, in the flour trade, with his father's cousin, David Lane, from Chichester, who, in later years, retired, leaving the junior partner sole proprietor.

The fourth son, Charles H. Lane, has had a somewhat romantic career. When a young man he went to Iowa and was one of six to buy a township, incorporate the city of Red Oak and set up a sawmill. With the first lumber sawed, Mr. Lane built a store, with his own hands, bringing glass and other building material many miles by row-boat. Then he sent to his brothers to buy goods in Boston, to stock a store similar to the one kept in Hampton.

The proprietors of Red Oak laid out a square of nine acres, for the center of the city, and drew lots for the property. Mr. Lane's lot fell on the west side of the square. The city grew and established a bank, of which Mr. Lane has long been the president. He now

owns with one partner, an agricultural implement and hardware store, covering an acre of ground. He also owns two other stores, each built of brick, twenty five by eighty-six feet on the ground and three stories high; the one a grocery store, and the other a dry goods, boots, shoes and clothing bazaar, in the building of which our townsman, Samuel W. Dearborn, was head carpenter.

It has always been Mr. Lane's pleasure to take young men into his employ, teach them the business and then help them to set up business for themselves. In this way, his nephews, George E. and Charles G. Lane, sons of George W., have become established, the former as proprietor of a variety store in Hampton, Neb., and the latter as cashier of a bank in Hastings, Neb. Both these young men are natives of Hampton.

Another business man of Red Oak, born in Hampton, Capt. Thomas H. Dearborn, may be mentioned in this connection, as he was once Mr. Lane's clerk. After the war, in which he bore an active part, he was in trade in Seabrook for two years—then went to Red Oak, and has long been a successful dealer in coal and ice.

D. O. LEAVITT—APOTHECARY AND GROCER,

Successor, in 1865, to Joseph R. Towle, who himself succeeded to John P. Towle, in the same business. After some years at the old stand and in the J. A. Towle building, Mr. Leavitt removed temporarily from town. In 1884 he associated with himself his brother-in-law, Robert F. Laird, as apothecary, while he retained charge of the grocery department, in the old John P. Towle store, which had been enlarged for Mr. Collum, tinsmith, and the old part fitted up for post-office and store, Mr. Laird having been appointed postmaster.

In 1889 this building was moved away, to make room for Shaw's block, a fine new edifice, opened in April, 1890. After moving into his commodious store in Shaw's block, Mr. Leavitt began to run order teams, two of which are constantly employed. Mr. Laird soon removed to Newmarket, and D. O. Leavitt now takes personal charge of the whole, with the aid of two or three clerks. Annual business, about twenty thousand dollars.

POST OFFICE STORE—STATIONERY, CONFECTIONERY AND TOBACCO.

A small store of this nature has for many years been kept by the existing postmaster, ever since the incumbencies of Edwin B. Lane and John A. Towle, merchants. Postmasters Dow, Marston, Perkins, Crane and Akerman kept the office and store successively in Lane's building, opposite Capt. David A. Philbrick's house; Robert F. Laird

following, in the John P. Towle building. Myron W. Cole, the present postmaster, removed the office to Merrill's block in July, 1889, and continues the usual "post office store," in connection with it.

GEORGE COLLUM — TIN-SMITH, PLUMBER AND STOVE-DEALER,

Came to Hampton, from Gloucester, Mass., May 22, 1876; had his store and work-shop first, in the J. P. Towle building, which was later enlarged for his use; but removed to his own much larger building, near the Baptist church, in October, 1887, to which he has since built an addition; keeps his store well stocked; does work half a dozen miles away, in various directions; and carries a business of from eight to ten thousand dollars annually.

J. W. MASON & CO. — GROCERIES AND HARDWARE,

Succeeded to the business of A. D. Brown, who, after about twenty years in trade, in the old J. A. Towle building, sold to the present firm, January 1, 1875, and retired. They removed to Merrill's block, on the opening of that building, in July, 1889; greatly enlarged the stock at that time; keep two order teams constantly on the road; do an annual business of twenty thousand dollars.

BATCHELDER BROTHERS—BUTCHERS.

They sent out their first teams in 1874, from a slaughter-house on their own farm, at Bride Hill. In later years, they have bought much from Boston and Portsmouth markets, besides their own supply; bought more than ten thousand dollars' worth of meats in 1891; opened a meat market in the old J. A. Towle building, in November, 1887; removed to Merrill's block, in July, 1889; continue to supply distant customers from the carts, two being sent out daily; use a refrigerator cart in warm weather.

T. N. CHASE — DRY AND FANCY GOODS, AND MILLINERY.

He opened the first and only store of the kind, in Hampton, in the fall of 1877, in the J. A. Towle building. In 1883 Mr. Towle built a new store, in the rear of his old building, and into this Mr. Chase moved in October, with a great addition to his stock. Here he remained till the opening of Shaw's block, in 1890, when he removed thither. He keeps a good assortment and has an attractive store.

JOHN S. GILMAN — CLOCK AND WATCH REPAIRER AND JEWELLER.

He came to Hampton and began business in a small way, in the second story of the old post-office building, in February, 1877. Skill and industry have brought patronage, so that he was enabled to buy land and build a house, to which he removed in 1883, and where he has since continued to make a comfortable living in his business.

FRED E. SANBORN — BARBER,

Has now, after several removes, a well-appointed shop, opposite the shoe-shop, where he deftly plies his trade, and receives liberal patronage.

E. B. TOWLE — DRY AND FANCY GOODS, AND GENTLEMEN'S FURNISHINGS,

Opened his store in the old J. A. Towle building, in June, 1890, and has prospered in the enterprise.

Several stores are kept, through the summer months, at the South beach; the first, in point of time, being that of James Perkins, Jr., deceased, now John W. Locke's. John M. Palmer has such a store near Boar's Head. The rest are open but a little while, and kept mostly by strangers.

SOME FORMER STORES.

The following advertisement, from an old-time newspaper will give an idea of the country store of a hundred years ago:

"Hampton November 30th, 1757.—Just Imported And to be SOLD by—Jonathan Moulton, jun^r[¹] At his own store, by Wh. or Reteil—A Fine Assortment of Braziers— and Cutlery WARE, almost every Thing suitable for—House Keeping. And a large Assortment of WINTER—and Summer GOODS, suitable for Men's and Women's Wear. Also WEST INDIA GOODS, SALT, &c—

Jonathan Moulton, jun^r

N. B. I will engage to sell any of the above goods as—cheap for ready Cash or any other Good Pay, or three months Credit, as the like are sold any where in this Province. If any person (is) inclined to take a large Quantity, I will give six Months Credit and take Merchantable BOARDS—at Exeter, New Market, Almsbury or Newbury Landings."

¹Colonel, afterwards General Moulton.

GERSHOM GRIFFITH, born in 1707, is styled "trader."

COL. CHRISTOPHER TOPPAN had a store in his house—the old family mansion,—in the time of the Revolution.

In later times **JOHN CARROLL** was a trader in Hampton, a considerable time before 1817.

MAJ. JOHN LOVERING, who was in trade in Hampton from 1814 to 1830, had his store about three hundred feet south of the Perry house, on the same side of the street. His brother, **THOMAS LOVERING**, was at first his clerk; but in 1820, went into trade by himself in a store on the corner by Josiah Dearborn's tavern (the store Mr. Carroll had vacated sometime before). This he occupied till March 4, 1829, when he removed to Exeter. The store afterwards had several successive occupants, but was moved to another site at last, for a dwelling-house.

RICHARD GREENLEAF's store was the building afterwards used by David Towle, undertaker and carpenter.

JACOB and **ASAH EL MARSTON** kept a store near their home (now John A. Nudd's). Later, **ADNA B. LANE** had the same building for a store and tailor's shop.

— **KNIGHT** kept a store, where **A. J. Philbrick** now lives. **Sally Quarles**, who married **Joshua Mace**, was his clerk; also, **David Moulton**.

Some of the other storekeepers were: **MOODY STOCKMAN** and **JOHN M. SEAWARD** (near C. G. Toppan's); **JOHN C. FORSAITH** (where **Oliver Towle** lives); **JOHN MASON** (where **John G. Brown** lives); **AMOS J.** and **JOHN A. TOWLE**, dry goods and groceries, in the present dwelling-house of the latter.

BRICK-MAKING.

The "clay-pits" are mentioned in the early annals of the town, but nothing is on record in regard to brick-making. Within the present century, this industry seems to have been confined to one family, but when it was begun is uncertain. Dea. **Samuel Drake**, when a young man, eighty years ago, more or less, was a brick-maker, his yard being near the present residence of **Mr. J. T. Brown**; and later, back of **Mr. Clarence T. Brown's**. The last location of the brick-yard was in the large field south of Deacon Drake's house, where his son, **Samuel Drake**, manufactured about a hundred thousand brick annually. Since his death, in 1879, the business has not been pursued.

TANNERIES.

In 1711, complaint being made that there was a great waste occasioned by oak trees being cut down on the commons, for the purpose of stripping off their bark, to be used in tanning hides, a vote was

passed, declaring all bark thus stripped off, forfeited, wherever it might be found, and subjecting the offender to a fine of five shillings for each tree so stripped or barked.

Tanning was, no doubt, formerly, an important industry in our town. In modern times, some shoe-makers and farmers have tanned hides for their own use, and occasionally for their neighbors. Dea. David B. Elkins once had a tannery of this kind, on the "old swamp run," flowing into the Bride Hill mill-stream, a few rotten timbers of which, may still be seen. The Garlands, at the "east end," operated such a tannery, situated in the meadow over the ridge, back of the Garland homestead.

THE CATTLE TRADE.

Ebenezer and Samuel D. Lane, Jacob T. Brown and David A. Philbrick were formerly largely engaged in this traffic; which, however has declined, since horses have mostly superseded oxen, for farm work. From 1857 to 1867, Captain Philbrick received from two to six car-loads of cattle a week, except through the haying seasons.

MILK BUSINESS.

Though there are no large milk farms in Hampton, many farmers keep respectable herds of cows, and sell milk, chiefly to the "Lynn Milk Company," which has made this town a depot since 1878.

ICE BUSINESS.

Curtis DeLancey, resident in the town, and David J. Lamprey, of North Hampton, are the principal ice dealers. Formerly, most of the ice was cut on the meadow, near the ocean, and was sometimes a little brackish. That has been abandoned, for ponds further inland.

Mr. DeLancey employs an average of twelve men and twenty horses during the icing season, and cuts fifteen hundred tons of ice annually, from ponds at Bride Hill, Drake Side and Leavitt's mill. He packs ice for most of the hotels and boarding-houses, and supplies private families from his own ice-houses.

Mr. Lamprey cuts two thousand tons of ice annually, in Hampton, besides his business in other towns. The Lynn Milk Company, established a station in Hampton, and built an ice-house, of a thousand tons' capacity, in 1878, which Mr. Lamprey filled till 1884, when it was taken down, and the present house, of thirteen hundred fifty tons' capacity was built. This, Mr. Lamprey contracted to fill for ten years. Accordingly, he leased, for that period, a meadow of forty acres, be-

longing to J. T. Brown, C. G. Toppan and others; grading the road along its front, one and a half feet, and keeping it in repair at his own expense. This meadow is flowed from Drake's river, and furnishes a full supply of ice.

EXPRESS BUSINESS.

Lane's Express.—Twenty-five years ago or more, Jesse A. Lane began to do express business between Hampton and Boston, with great convenience to the public, and fair profit to himself. As years went on, his trips became more frequent, till patronage so increased that he went daily, sometimes with an assistant; but failing health compelled him to retire, in 1884.

Batchelder's Express.—Warren M. Batchelder, of the firm, *Batchelder Brothers, Butchers*, began to do a local express business between Hampton and Boston, in 1884, when Lane's express had been discontinued. After a successful run of three years, he sold out, the first of August, 1887, to John S. and Ames B. Robinson, in order to give his whole time to the meat trade. There is now no local express.

The *American Express Co.* has an office in Hampton; also *Jackson's Express*, of Portsmouth.

CARPENTERS—STEAM SAWMILL.

There are many good carpenters in Hampton, most of whom are employed by Samuel W. Dearborn, contractor, who began work as a carpenter, in 1866, and by degrees, enlarged his business till now he employs from twelve to twenty-five Hampton men; has building contracts constantly in Hampton, and at various points within a radius of twelve miles or more; and handles, annually, at least a hundred twenty-five thousand feet of pine, three hundred thousand spruce and hemlock, and a million shingle.

In 1879, in partnership with James W. Berry, he built the steam sawmill, which has become so important a feature of the town. Some told them they were "fools for their pains;" but the enterprise was successful, and has long since proved itself a necessity. The mill was run, at first, with a thirty horse power engine.

At the end of two years the partnership was dissolved, Berry remaining in the mill business, and Dearborn retaining an interest in the lumber-yard and leasing the upper story of the mill for a workshop.

Two years later, Mr. Berry put in a forty horse power engine, and he now saws from five to six hundred thousand feet, annually, of all sorts, mostly pine.

BROWN'S STEAM SAWMILL BUSINESS.

In 1863 Jacob T. Brown bought a portable steam sawmill, and located it successively in Kensington, Newton, West Amesbury and Hampton Falls, but never in Hampton. This is the mill which he exchanged for property on Taylor's river (mentioned under the caption, Browns' Mill).

Either in his own name or in company with others, Mr. Brown has employed steam sawmills in operating wood-lots in Hampton, Stratham, Greenland, Exeter, North Hampton, Seabrook and Salisbury, besides the towns above mentioned.

MASONS.

Joseph L. Blake and Edmund and Joseph W. Mason were long the principal stone masons in Hampton, the last of whom still plies the trade. John Carr Davis labors in the same vocation.

John W. Dearborn had formerly the monopoly of the brick and mortar business. He carries a considerable stock, and employs several hands.

Thomas A. Brown and Otis W. Marston do a good amount of business, in the same line.

PAINTERS.

Rufus S. Johnson, George A. Johnson, and A. K. & N. T. Blake are much engaged in this business, in Hampton and neighboring towns. They have other men in their employ.

JOHN ALBERT TOWLE—COAL DEALER.

Mr. Towle formerly kept a grocery store; began to deal in coal in 1884; has now the monopoly for the town, though some individuals ship from Portsmouth and Newburyport, for their own use, and Mr. S. W. Dearborn supplies several families. Mr. Towle sold three thousand dollars worth of coal in 1891.

BLACKSMITHS.

From the sitting down as planter and smith, of William Fuller, in 1639 (Chap. I); of John Redman, in 1642; of Daniel Tilton, in 1667 (Chap. III); and of Jonathan Wedgwood (born in 1649), Hampton has probably never lacked for blacksmiths.

Benjamin Batchelder, of the fifth generation from Rev. Stephen, and his son, John Batchelder, were blacksmiths in the latter half of the last century.

Adj. David Towle opened his shop in 1801, where his grandson, John C. Marston, now lives.

Thomas Lane, born in 1785, pursued that calling at the "east end" till late in life, and was succeeded by Simon L. Jenness and his son, Abbott B., who still make the anvil ring at the old stand.

Thomas Lane, Jr., born in 1812, was long a blacksmith, on the Portsmouth road. He died in 1873, and the shop has been taken down.

Josiah Dearborn built a blacksmith's shop on the low ground between his tavern and his homestead; and later, his son Samuel, blacksmith, had his house and shop on the same road, a few rods north of the Dearborn homestead. This was the same previously occupied by Thomas Leavitt, blacksmith, and is now the residence of John G. Brown. The shop is gone.

Enoch P. Young's shop, established about 1847, still flourishes under his son and successor, Abbott L. Young.

Oliver Godfrey in the north part of the town, and Joseph R. Sanborn in the west, successor to his father, Jeremiah Sanborn, receive a full share of patronage.

THE SHOE-SHOP.

Shoe-making has been pursued from early times. A room in the dwelling or a little shop near by has long been appropriated for the purpose, on many a farm, and men have worked in field or at the bench, as occasion demanded. Some did custom work; but in later years, a large amount of work has been taken from Lynn, Haverhill and other manufacturing places. Till the advent of the sewing-machine, shoe-binding gave employment to women; and at one time, Robert F. Williams had a large number in his employ.

The shoe business took on much larger proportions than ever before, when, in January, 1888, V. K. & A. H. Jones, of Lynn, Mass., consolidated their branch establishments in Strafford and Barnstead and brought them to Hampton. A stock company of Hampton men had built a shop eighty by forty feet, of four stories height, with a three story wing, fifty by forty-six feet, into which the new firm brought a considerable number of laborers from the two towns above mentioned. Many Hampton men and women soon came to be employed, and the quiet old town awoke to new activity and financial life.

A wooden building, in close proximity to the steam sawmill and lumber yards, demanded extra safeguards against fire. These were provided, in a water tank, of a capacity of thirty thousand gallons, and a four-inch fire hose, operated by steam pump, for outside service;

together with small hose and automatic sprinklers for use through the building. A special engine, used for this work only, carries water from the large tank to a second tank, of three thousand gallons' capacity, at the top of the factory. By connecting an additional hydrant, which is contemplated, not only the immediate premises, but a considerable portion of the village, would be protected.

In the factory, a thirty-five horse power steam engine carried the machinery; and work embraced all grades and varieties of women's shoes. Two hundred to two hundred fifty hands were employed, with a weekly pay roll reaching twenty-five hundred dollars. After the Lynn fire, of December, 1889, in which the Jones brothers lost their main factory, the Hampton business was temporarily increased, by the removal hither of their entire force, till they built anew and reopened in that city the following autumn.

The career of this new industry was prosperous, but it was brief. In the autumn of 1891, the firm of V. K. & A. H. Jones removed their Hampton business to Lynn, and the great shop awaits its fortunes.

In the Genealogies will be found mention of other trades—tailor, cooper, glover, hatter, weaver, baker, basket-maker—variety enough to furnish occupation and supply the needs of the people.

GUNNING AND TAXIDERMV.

No account of the industries of Hampton would be complete, without mention of the taking of game in our woods and especially on the marshes and out at sea. While with many it is a pastime merely, there have been men, probably from the earliest times, who have followed gunning as a trade, though few have found it lucrative. Charles G. Perkins and David F. Nudd, living on the sea-shore, have been among the foremost gunners of recent times, following the Palmers and others in long array; while the younger men of many names seem likely to perpetuate the avocation, and strangers look at the hotels every autumn for the season's sport.

James W. Blake, "a mighty hunter," familiar with forest and shore for miles around, has kept a record of his game for more than thirty years; and this he gives us, as follows:

ACCOUNT OF GAME FROM 1857 TO 1890.

(Sea-fowl in general not included, nor crows and hawks, except for the two years when bounties were paid. This game was all killed in Hampton.)

581 muskrats,	sold for	\$115.41
111 minks,	" "	253.85



MRS. ZIPPORAH J. JENNESS AND HER BIRDS.

All taken in Hampton.